



Oregon

John A. Kitzhaber, M.D., Governor

Department of Land Conservation and Development

635 Capitol Street NE, Suite 150

Salem, Oregon 97301-2540

Phone: (503) 373-0050

Fax: (503) 378-5518

www.oregon.gov/LCD



NOTICE OF ADOPTED CHANGE TO A COMPREHENSIVE PLAN OR LAND USE REGULATION

Date: May 13, 2015
Jurisdiction: City of Madras
Local file no.: PA-14-3
DLCD file no.: 002-14

The Department of Land Conservation and Development (DLCD) received the attached notice of adopted amendment to a comprehensive plan or land use regulation on 05/06/2015. A copy of the adopted amendment is available for review at the DLCD office in Salem and the local government office.

Notice of the proposed amendment was submitted to DLCD less than 35 days prior to the first evidentiary hearing.

Appeal Procedures

Eligibility to appeal this amendment is governed by ORS 197.612, ORS 197.620, and ORS 197.830. Under ORS 197.830(9), a notice of intent to appeal a land use decision to LUBA must be filed no later than 21 days after the date the decision sought to be reviewed became final. If you have questions about the date the decision became final, please contact the jurisdiction that adopted the amendment.

A notice of intent to appeal must be served upon the local government and others who received written notice of the final decision from the local government. The notice of intent to appeal must be served and filed in the form and manner prescribed by LUBA, (OAR chapter 661, division 10).

If the amendment is not appealed, it will be deemed acknowledged as set forth in ORS 197.625(1)(a). Please call LUBA at 503-373-1265, if you have questions about appeal procedures.

DLCD Contact

If you have questions about this notice, please contact DLCD's Plan Amendment Specialist at 503-934-0017 or plan.amendments@state.or.us



NOTICE OF ADOPTED CHANGE TO A COMPREHENSIVE PLAN OR LAND USE REGULATION

FOR DLCD USE
File No.: 002-14
{ 22499 }
Received: 5/6/2015

Local governments are required to send notice of an adopted change to a comprehensive plan or land use regulation **no more than 20 days after the adoption.** (See [OAR 660-018-0040](#)). The rules require that the notice include a completed copy of this form. **This notice form is not for submittal of a completed periodic review task or a plan amendment reviewed in the manner of periodic review.** Use [Form 4](#) for an adopted urban growth boundary including over 50 acres by a city with a population greater than 2,500 within the UGB or an urban growth boundary amendment over 100 acres adopted by a metropolitan service district. Use [Form 5](#) for an adopted urban reserve designation, or amendment to add over 50 acres, by a city with a population greater than 2,500 within the UGB. Use [Form 6](#) with submittal of an adopted periodic review task.

Jurisdiction: City of Madras

Local file no.: **PA-14-3**

Date of adoption: 4/28/15

Date sent: 5/6/2015

Was Notice of a Proposed Change (Form 1) submitted to DLCD?

Yes: Date (use the date of last revision if a revised Form 1 was submitted): 12/18/5

No

Is the adopted change different from what was described in the Notice of Proposed Change? Yes No

If yes, describe how the adoption differs from the proposal:

No

Local contact (name and title): Nicholas Snead, COmmunity Development Director

Phone: 541-475-2344

E-mail: nsnead@ci.madras.or.us

Street address: 125 SW "E" Street

City: Madras

Zip: 97741-

PLEASE COMPLETE ALL OF THE FOLLOWING SECTIONS THAT APPLY

For a change to comprehensive plan text:

Identify the sections of the plan that were added or amended and which statewide planning goals those sections implement, if any:

Urban Growth Boundary change (less than 50 acres).

For a change to a comprehensive plan map:

Identify the former and new map designations and the area affected:

- Change from Range Land to OpenSpace/Public Facilities 11.68 acres. A goal exception was required for this change.
- Change from _____ to _____ acres. A goal exception was required for this change.
- Change from _____ to _____ acres. A goal exception was required for this change.
- Change from _____ to _____ acres. A goal exception was required for this change.

Location of affected property (T, R, Sec., TL and address): 11-14-06-1000. The property is partially located in the UGB

The subject property is entirely within an urban growth boundary

The subject property is partially within an urban growth boundary

If the comprehensive plan map change is a UGB amendment including less than 50 acres and/or by a city with a population less than 2,500 in the urban area, indicate the number of acres of the former rural plan designation, by type, included in the boundary.

Exclusive Farm Use – Acres: 30.23

Non-resource – Acres:

Forest – Acres:

Marginal Lands – Acres:

Rural Residential – Acres:

Natural Resource/Coastal/Open Space – Acres: 25.03

Rural Commercial or Industrial – Acres:

Other: Range Land – Acres: 11.69

If the comprehensive plan map change is an urban reserve amendment including less than 50 acres, or establishment or amendment of an urban reserve by a city with a population less than 2,500 in the urban area, indicate the number of acres, by plan designation, included in the boundary.

Exclusive Farm Use – Acres: 30.23

Non-resource – Acres:

Forest – Acres:

Marginal Lands – Acres:

Rural Residential – Acres:

Natural Resource/Coastal/Open Space – Acres: 25.03

Rural Commercial or Industrial – Acres:

Other: Range Land – Acres: 11.69

For a change to the text of an ordinance or code:

Identify the sections of the ordinance or code that were added or amended by title and number:

For a change to a zoning map:

Identify the former and new base zone designations and the area affected:

| | | |
|--|---------------------------------|--------------|
| Change from Range Land | to Open Space/Public Facilities | Acres: 11.68 |
| Change from EFU (A-1) | to EFU (A-1) | Acres: .92 |
| Change from Open Space/Public Facilities | to Open Space/Public Facilities | |
| Acres: 10.76 | | |
| Change from | to | Acres: |

Identify additions to or removal from an overlay zone designation and the area affected:

Overlay zone designation: Acres added: Acres removed:

Location of affected property (T, R, Sec., TL and address): 11-14-6-1000

List affected state or federal agencies, local governments and special districts: Jefferson County

Identify supplemental information that is included because it may be useful to inform DLCD or members of the public of the effect of the actual change that has been submitted with this Notice of Adopted Change, if any. If the submittal, including supplementary materials, exceeds 100 pages, include a summary of the amendment briefly describing its purpose and requirements.

ORDINANCE NO. 872

AN ORDINANCE OF THE CITY OF MADRAS APPROVING AMENDMENTS TO THE CITY'S COMPREHENSIVE PLAN AND ZONE MAP BY EXPANDING THE CITY'S URBAN GROWTH BOUNDARY BY 10.76 ACRES, MORE OR LESS, AND ZONING THE SUBJECT PROPERTY AS OPEN SPACE / PUBLIC FACILITIES; AND DECLARING AN EMERGENCY.

WHEREAS, Jefferson County School District 509-J (the "School District") currently owns approximately 69.25 acres of land consisting of 30.23 acres of EFU-A1 (Exclusive Farm Use), 11.69 acres of RL (Range Land), and 25.03 acres of OS/PF (Open Space / Public Facilities), identified as Jefferson County Assessor's Map #11-14-6, Tax Lot #1000; and

WHEREAS, the School District submitted a Comprehensive Plan and Map Amendment application to the City of Madras ("City") asking that the City consider amending its Urban Growth Boundary (the "UGB") to include an additional 10.69 acres, currently zoned RL (Range Land), and rezone the property to OS/PF (Open Space / Public Facilities), as well as allow the removal of .92 acres, more or less, from the UGB which is currently zoned RL (Range Land); and

WHEREAS, the Urban Growth Area Management Agreement stipulates that both the City of Madras Planning Commission (the "City Planning Commission") and Jefferson County Planning Commission (the "County Planning Commission") are required to make a decision on UGB proposals following the required public hearing process; and

WHEREAS, in compliance with City and County Planning Commission notice requirements for expansion of the UGB, the City Planning Commission and County Planning Commission held a joint Public Hearing on March 18, 2015 to consider the proposed Comprehensive Plan and Zone Map Amendments (Community Development Department File #PA-14-3), and

WHEREAS, after reviewing the application materials and findings, and considering written and oral comments from the public and staff, both the City Planning Commission and County Planning Commission individually took formal action, during the March 18, 2015 Public Hearing, to approve the proposed Comprehensive Plan and Zone Map amendments and forwarded their recommendation to the City Council (the "Council") for consideration; and

WHEREAS, a Public Hearing was scheduled before the Council on March 24, 2015 in compliance with notification requirements, to accept comments from the public and staff, and to take into consideration the recommendations of both the City and County Planning Commissions; and

WHEREAS, after reviewing the application materials and findings, and considering written and oral comments from the public and staff, as well as the recommendations from both the City and County Planning Commissions, the Council took formal action to approve the proposed Comprehensive Plan and Zone Map amendments with the understanding that their approval would need to be forwarded to the Jefferson County Board of Commissioners (the "County Commission") for final approval; and

WHEREAS, the County Commission was notified of the Council's decision, and upon receiving the notification, and in compliance with the County's Urban Growth Boundary notice

requirements, scheduled a Public Hearing on April 22, 2015 to review the findings and consider all written and oral comments from the public and staff; and

WHEREAS, after considering the matter fully, the County Commission took formal action to approve the proposed Urban Growth Boundary and Zone Change amendments, and make any necessary changes to the County's Comprehensive Plan and Zone Map to effectuate the amendments.

NOW, THEREFORE, the City of Madras ordains as follows:

SECTION 1: FINDINGS

The Findings for the City of Madras / Jefferson County Urban Growth Boundary Change and Zone Change prepared by Daniel Heffernan Company on March 9, 2015 is hereby adopted.

SECTION 2: COMPREHENSIVE PLAN AND ZONE MAP AMENDMENTS

The City's Comprehensive Plan (Urban Area Comprehensive Plan) and Zone Map are to be amended as approved by the Council and the County Commission based on the approved findings, attached hereto as Attachment "A".

SECTION 3: SEVERABILITY CLAUSE

If any section, subsection, sentence, clause, and/or portion of this Ordinance No. 872 (this "Ordinance") is for any reason held invalid, unenforceable, and/or unconstitutional, such invalid, unenforceable, and/or unconstitutional section, subsection, sentence, clause, and/or portion will:

- (a) yield to a construction permitting enforcement to the maximum extent permitted by applicable law, and
- (b) not affect the validity, enforceability, and/or constitutionality of the remaining portion of this Ordinance.

SECTION 4: CORRECTIONS

This Ordinance may be corrected by order of the City Council to cure editorial and/or clerical errors.

SECTION 5: RECORDING

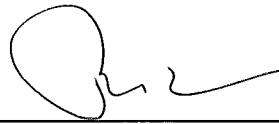
The City Recorder is hereby authorized to provide the Jefferson County Clerk's Office, Jefferson County Assessor's Office, and the Jefferson County Surveyor with a "Certified True Copy" of this Ordinance as soon as this Ordinance takes effect.

SECTION 6: EMERGENCY CLAUSE

Passage of this Ordinance is deemed to be necessary for the immediate preservation of the peace, health, and safety of the City's citizens. Consequently, an emergency is hereby declared to exist. This Ordinance will be in full force and effect upon its passage by the City Council and signing by the Mayor.

ADOPTED by the City Council of the City of Madras and signed by the Mayor this 28th day of April, 20 15.

Ayes: 4
Nays: 0
Abstentions: 0
Absent: 1
Vacancies: 1



Royce Embanks, Mayor

ATTEST:

Karen J. Coleman
Karen J. Coleman, City Recorder



Jefferson County School District 509-J

Findings for

City of Madras & Jefferson County

Urban Growth Boundary Change and Zone Change

March 9, 2015

Prepared by

City of Madras Community Development Department
&
Daniel Heffernan Company
Portland, OR

Table of Contents

A. MAPS..... 3

B. JUSTIFICATION FOR PROPOSED LAND USE ACTIONS..... 7

C. RECOMMENDED LAND USE PLANNING COMPLIANCE FINDINGS..... 12

 CITY OF MADRAS.....12

 1. Conformance with Comprehensive Plan Goals and Policies.....12

 2. Urban Growth Boundary Revisions.....18

 4. Conformance with the Urban Growth Area Management Agreement (UGAMA).....20

 5. PROCESS FOR URBAN GROWTH BOUNDARY AMENDMENTS.....21

 CONFORMANCE WITH THE JEFFERSON COUNTY COMPREHENSIVE PLAN.....23

 CONFORMANCE WITH STATE STATUTES.....25

 UGB & ZONE CHANGE CONFORMANCE WITH STATEWIDE LAND USE GOALS27

EXHIBITS 39

 A. 750 ft. Notice to affected property owners39

 A. 750 ft. Notice to affected property owners40

 B. Property Assessment Report.....41

Figures & Tables

Figure 1 – Jefferson County Assessor’s Map: 11-14-6..... 3

..... 3

Figure 2. Existing & Proposed UGB Boundary and Zoning 4

Figure 3. County Zoning Map..... 5

Figure 4 – Proposed UGB Boundary Adjustment & Proposed Partition..... 6

Table 1 – Land Use and Proposed Parcel Summary 8

Table 2 – Changes in Zoning Acreage (approximate) 8

A. Maps

Figure 1 – Jefferson County Assessor’s Map: 11-14-6

Figure 2. Existing & Proposed UGB Boundary and Zoning

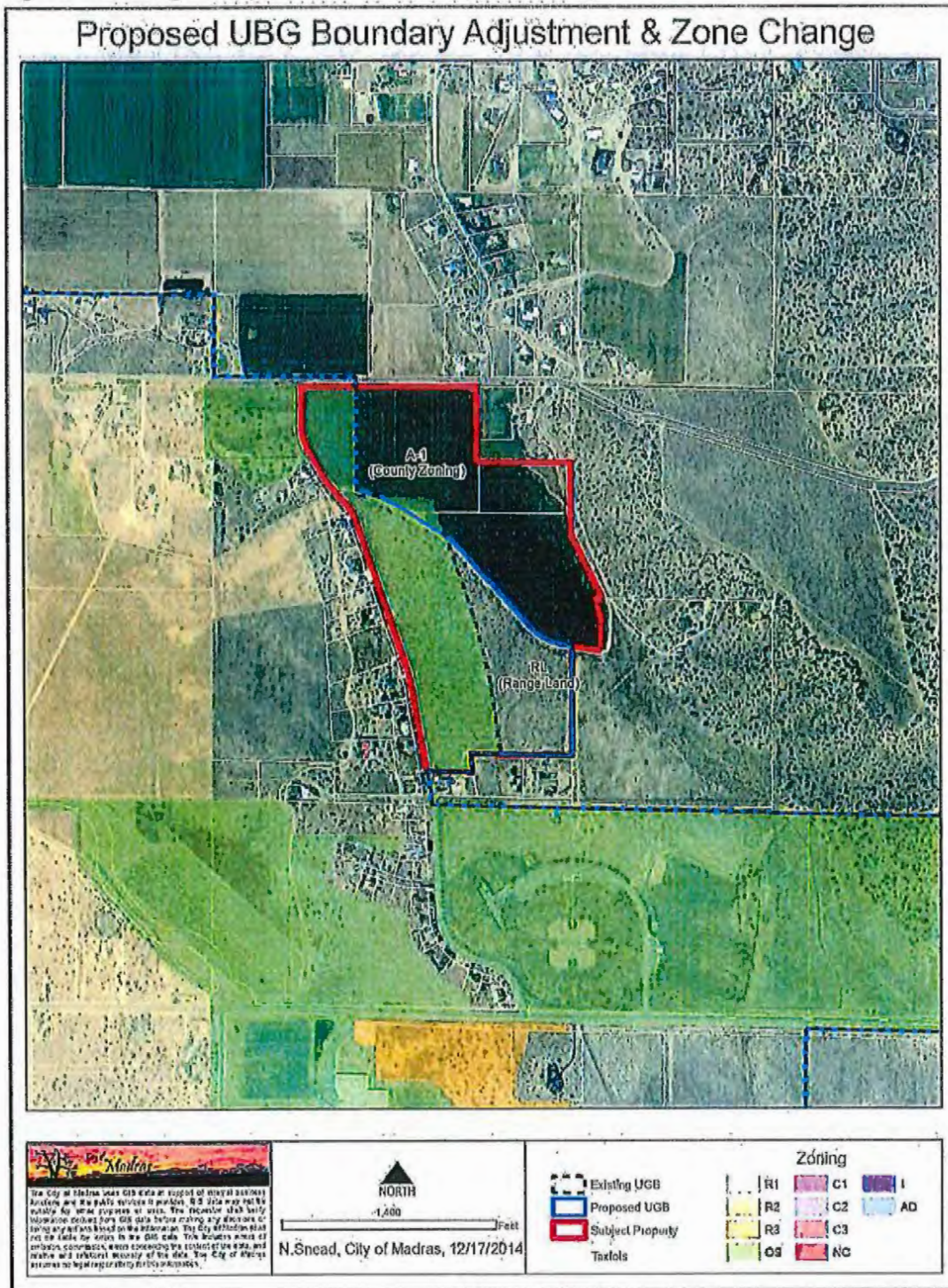


Figure 3. County Zoning Map

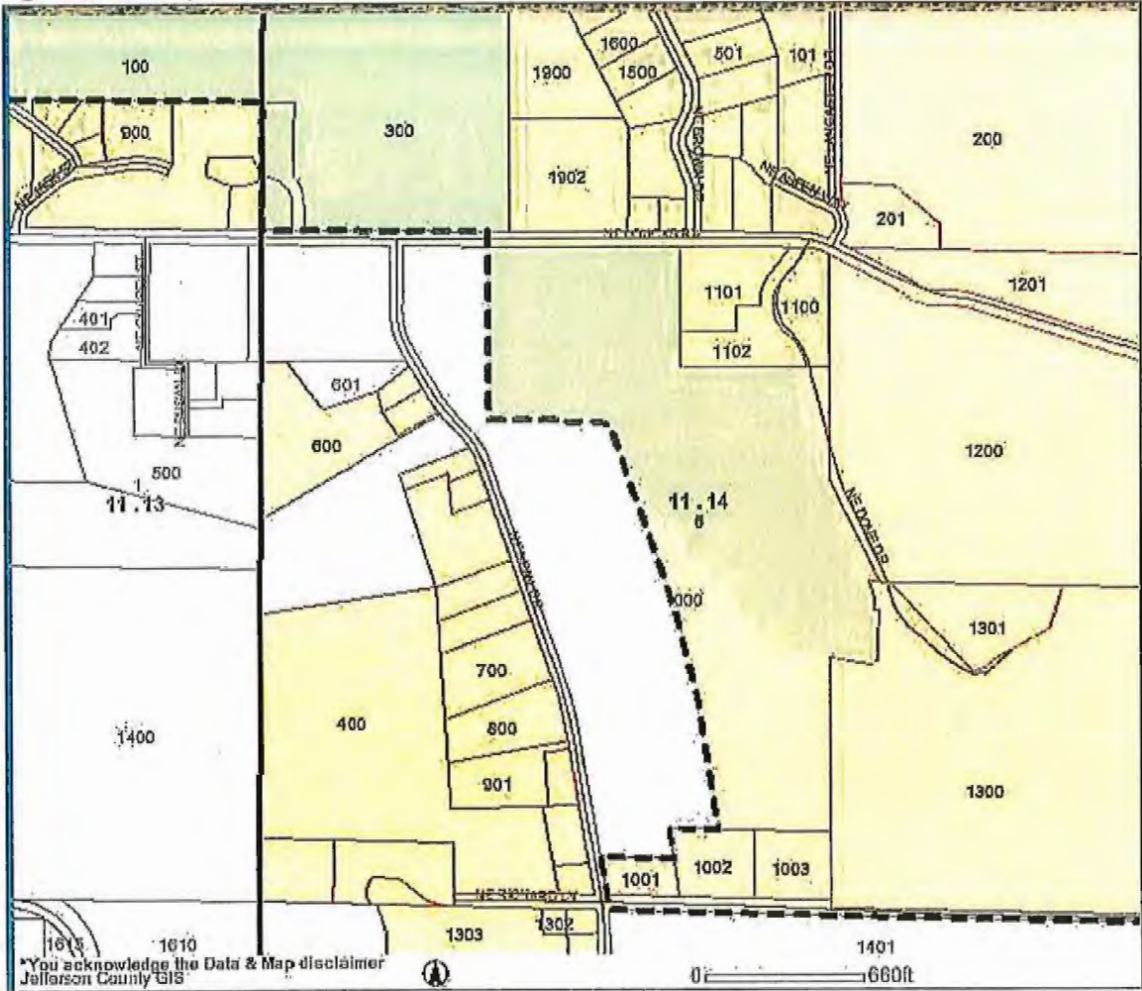
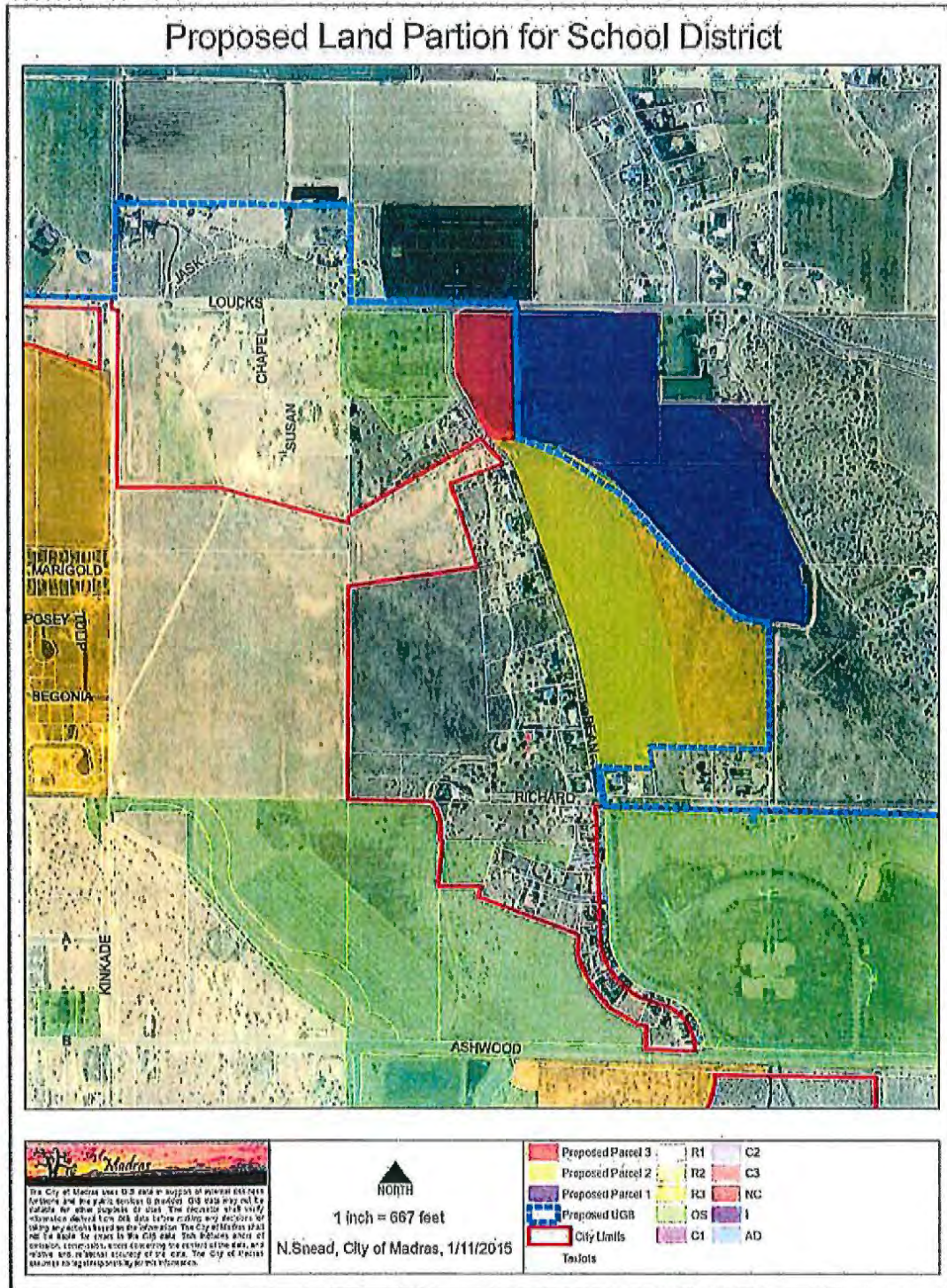


Figure 4 – Proposed UGB Boundary Adjustment & Proposed Partition



B. JUSTIFICATION FOR PROPOSED LAND USE ACTIONS

1. Urban Growth Boundary Amendment, Zone Change, Annexation, and Land Partition

Jefferson County School District 509-J (District) owns property on the east side of Madras at the intersection of NE Loucks Road and NE Bean Drive. The Jefferson County Assessor's Tax Lot number for this property is 11S 14E 06 1000 (Figures 1 & 2 above). The property comprises 69.25 acres bisected by a North Unit Irrigation District (NUID) irrigation lateral, which generally traverses through the property east and west. The lateral conveys water to the northern irrigated portion of the property. The southern part of the property is dry and is not farmed.

The property also is also bisected north and south by a political boundary - the Madras Urban Growth Boundary (UGB). The eastern side of the property, which lies outside the UGB, is zoned Exclusive Farm Use (EFU) where irrigated, and Range Land (RL) for the land south of the NUID lateral. The land within the UGB boundary is zoned Open Space/Public Facility (OS/PF) per the Madras Comprehensive Land Use Plan.

The manner that the UGB bisects the property north and south is problematic for a number of reasons. First and foremost, it results in a significant amount of high-value irrigated farmland being included in the UGB while excluding from the UGB a slightly larger but less valuable amount of rangeland. The developable footprint of the irrigated land north of the NUID lateral and the dry land south of the lateral are about the same size. While the non-irrigated land has somewhat steeper slopes there is enough land flat land south of the lateral to accommodate a school site or park or other public facility. The parcels north and south of the irrigation lateral have similar access to streets, water, sanitary sewers, and other utility services. From an urbanization standpoint, there is no reason to have favored including the "high-value" irrigated portion of the property in the UGB and exclude the "less valuable" dry land portion of the property that lies south of the lateral.

Secondly, as a potential public facility site, the dry land acreage is more favorably located away from Loucks Road and Bean Drive intersection and closer to planned urban residential uses south of Richard Street and west of Bean Drive. The UGB, as drawn, serves neither to protect the property's important high-value farmland nor to meet the need for public facilities and urban open space near planned residential uses.

It is not clear why the boundary was drawn through the District's property in this way; the line seems to have been drawn somewhat randomly. Perhaps there was an interest in creating development opportunities on the east side of Bean Drive south of Loucks Road. Regardless, the 4.54 acres of irrigated farm land that is included in the UGB does not protect the property's most valuable resource land per Statewide Planning Goal 3 – Agriculture. That portion of the property that is currently being farmed has greater resource value than the 11.52 acres of rangeland south of the NUID lateral that was excluded from the UGB.

The proposed solution will ultimately annex 37.5 acres of the 69.25 acre property as shown in Figure 4 above. Parcel 1 is proposed to be kept outside of the Madras UGB and retain its current County Exclusive Farm Use (EFU) zoning. The southern parcel boundary of Parcel 1 is

ATTACHMENT A

the southern terminus of the existing irrigation lateral and an important agricultural infrastructure asset. The irrigation lateral is a complementary agricultural use and the UGB is proposed to be altered to exclude all of this high-value agricultural resource land.

Parcel 2 is currently partially located in the City's UGB and is proposed to be brought into the Madras UGB and annexed into the City of Madras. Currently a portion of Parcel 2 is zoned Open Space/Public Facility (OS/PF) on the City's Zoning Map. The other part of Parcel 2 is currently zone Range Land (RL) on the County's Zoning Map and is proposed to be rezoned to OS/PF on the City's Zoning Map.

Parcel 3 is currently in the City's UGB and is currently zone OS/PF on the City's Zoning Map. It is proposed that Parcel 3 will remain in the UGB and retain its current OS/PF zoning.

There will be a marginal net increase in developable land in the Madras UGB as a result of the proposed UGB boundary adjustment and zone change for things like housing or employment uses. The currently zoned OS/PF on the City's Urban Area Comprehensive Plan and Zone Map would provide the same urban land use (i.e. Open Space and Public Facility uses) need as is currently met by the portion of the property is now inside the UGB, but it would be reconfigured to include all of the land south of the NUID lateral.

Table 1 summarizes existing conditions and the outcome of the proposed partition and UGB boundary adjustment. The partition and UGB realignment would remove approximately 5.46 acres of irrigated farmland from the UGB and add 11.52 acres of dry rangeland into the UGB. This would result in slightly more OS/PF land inside the UGB than today, but the increase is justified by a desire to have the UGB follow property boundaries rather than splitting tax lots.

Table 1 – Land Use and Proposed Parcel Summary

| Proposed Parcel # | Current Area (acres) | Proposed Parcel Area (approximate) | Exiting Zoning (City/County) | Proposed Zoning (City/County) | Net Change (approximate) |
|-------------------|----------------------|------------------------------------|----------------------------------|-------------------------------|--------------------------|
| Parcel 3 | 69.25 | 6.69 | OS/PF (City) | OS/PF (City) | -62.56 |
| Parcel 2 | 0 | 30.81 | OS/PF (City) & RL (County) | OS/PF (City) | 30.81 |
| Parcel 1 | 0 | 31.75 | A-1 (County) | A-1 (County) | 31.75 |

Table 2 – Changes in Zoning Acreage (approximate)

| Zoning (City/County) | Existing (acres) | Net Change (acres) |
|----------------------|------------------|--------------------|
| A-1 (County) | 30.23 | + .92 acres |
| Range Land (County) | 11.69 | - 11.68 |
| OS/PF (City) | 25.03 | + 10.76 |

Jefferson County School District 509-J would retain title to Parcels 1 & 2 and convey Parcel 3 to Jefferson County for future cemetery (public use) property. The District has no immediate plans to develop the southern dry land site; it intends to hold the property as a possible school site. The District may sell or continue to lease the Parcel 1, which would remain in agricultural use and zoned entirely as EFU. Approval will result in better protection for the higher value agricultural resource land and a small increase in the amount of UGB acreage designated for OS/PF, but no increase in developable land for other urban uses (i.e. housing, employment, etc.). While the size of Madras’ UGB would increase marginally, the action would not increase the amount of developable land. This action is being taken strictly to protect high-value farmland and to consolidate the District’s land holdings in a more rational configuration with respect to the UGB.

The proposed adjustment to the UGB would result in a approximately a 5% increase to the OS/PF zoned land inside the UGB. This change does not significantly alter the ratio of OS/PF to the city’s inventory of buildable land in the UGB. In 2007, that ratio was 24%. The addition of 10.76 acres would increase the ratio to 25%, which fits the allowance in OAR 660-10-000 for public facility/open space use.

Table 2 – Change in Public Facility/Open Space Acreage

| 2007 OS/PF Allowance (in acres) | Proposed Increase (acres) | Percentage Change | Change in Ratio (905.16 acre basis) |
|---------------------------------|---------------------------|-------------------|-------------------------------------|
| 217.24 | 10.76 | 4.9% | 1.1% |

Source: City of Madras Urbanization Report, 2007

2. Madras Annexation Requirements

The School District has also requested that Parcels 2 and 3 (Figure 4) be annexed into the City of Madras. The School District has requested annexation so that in the future that they may use the land for urban uses. Based on the proposed zoning, the land would be used for public facility uses. Alternatively, these parcels may be conveyed by title but would be required to be used in a manner that is consistent with the City’s OS/PF zoning regulations (i.e. public use) without having to go through a second legislative land use amendment process.

It is important to note that the annexation public hearings before the Madras Planning Commission and City Council will commence contemporaneously with this UGB boundary adjustment and zone change request. Similarly, upon approval of the requested UGB boundary adjustment and zone change, and annexation, the property owner will file for a land partition request with the City of Madras to partition the subject property as shown in Figure 4.

Madras Zoning Code Article 7 requires that petitions for annexation must address the following issues.

- A. Existing land uses – these are described in the Annexation form (see *Section A.3*). In summary, the property that would be annexed is undeveloped open space.
- B. Existing Zoning – Existing zoning also is described in the Annexation form. In summary, 30.5 of the land to be annexed is zoned OS/PF under the Madras

ATTACHMENT A

Comprehensive Plan and 11.68 acres is zoned Rangeland (RL) by Jefferson County. Once annexed to the city, all of the land would be zoned OS/PF.

- C. Special Districts – The property is within the Deschutes Valley Water District service area. It is within the North Unit Irrigation District (NUID) but the property that would be annexed to the city would not have the right to use the NUID irrigation water. The property also is located in Jefferson County Fire District #1, which serves the City of Madras and rural lands in the vicinity of Madras. The annexation will not alter the territorial boundaries or tax revenues associated with any of these special districts.
- D. Availability of Urban Services – Delivery of urban services can be provided as follows.
- i. Sanitary Sewers – Sanitary service will be provided by the City of Madras. Sanitary sewers are present in Bean Drive south of the property. Sanitary service to the property has been anticipated in the City of Madras Sanitary Sewer Master Plan. The extension of sanitary sewer service laterals to the site will be addressed when a development proposal is prepared for the property. No change is anticipated to the site's serviceability as a consequence of annexation. The marginal increase in the amount of OS/PF land included in the UGB will not affect demand for sewer service. The scale and type of allowed uses are not affected by this action.
 - ii. Storm Drainage – When development is proposed, storm water will be treated and disposed on site per City of Madras development regulations. The marginal increase in size of the property to be included in the UGB will not have a significant effect on off-site storm drainage. No change to storm water discharge will occur as a result of the annexation.
 - iii. Streets – No development is proposed at this time so there is no effect on the street system. The urban growth boundary alteration, property reconfiguration, and changes in zoning will not have an effect on demand for transportation service now or in the future. The small increase in OS/PF land within the Madras UGB is not expected to result in more traffic because the scale and type of allowed uses are not affected by this action. Traffic impacts related to future development will be addressed at the time of development.
 - iv. Water – Deschutes Valley Water District provides water service in Madras. The District's master planning anticipated a public facility use at this location. The small increase in OS/PF land will not affect water demand because the scale and type of uses allowed are not affected by this action. Water service currently is available south and west of the property. Decisions regarding how to extend water lines will be addressed when development is proposed.
 - v. Fire – The property will continue to be served by Jefferson County Fire District #1 after annexation. The property is undeveloped and is tax exempt. The annexation has no effect on the Fire District.
 - vi. Police - The property will be served by the City of Madras after annexation. The property is undeveloped and is tax exempt so annexation has no effect on the County Sheriff. The comprehensive plan anticipated a public facility use in this location and there is no change in that assumption.
 - vii. Power – there is no change in power demand related to the proposed annexation. The property is undeveloped and the area inside the UGB is only marginally and insignificantly larger than at present. No increase in power

ATTACHMENT A

- demand is expected as a result of annexation. Specific power requirements will be address when a development is proposed.
- viii. Schools – Jefferson School District 509-J owns the property. There is no change in demand related to school services from the annexation. The site may be suitable as a school site in the future. The District has no plans for developing the site at this time.
 - ix. Parks - The property is undeveloped and is tax exempt. The annexation will have no effect on County Parks. The property will be served by the City of Madras after annexation and may provide a suitable location for a city park.
- E. Proposed Zoning – The proposed zoning for the land to be annexed is Open Space/Public Facility. This zoning is consistent with the current planned use for most of the property. The reconfiguration of the UGB would increase the inventory of OS/PF zoned land by 10.76 acres and reduce the amount of Range Land (RL) in the county by a similar amount. While the size of the property zoned OS/PF in this location would be slightly larger than at present, the increase is insignificant with regard to the scale or type of use that could be developed on the property.

C. Recommended Land Use Planning Compliance Findings

The Applicant has prepared the following responses and findings to local and state policies and regulations that are relevant to the proposed actions. Policies and regulations that are not relevant to the decision are not addressed.

CITY OF MADRAS

1. Conformance with Comprehensive Plan Goals and Policies

GOAL 1 - To develop a Citizen Involvement program that insures the opportunity for all citizens to be involved in all phases of the planning process.

Citizen Involvement Plan:

The City shall provide opportunities for citizen involvement in all phases of the planning process. The process shall include a series of workshop meetings and public hearings to discuss inventories, identify the needs, formulate goals and objectives, consider alternatives, and finally adopt a Comprehensive Plan. The City will provide opportunities for citizen involvement in the preparation and adoption of the Implementing Ordinances.

The City shall publicize the opportunities for citizen involvement by the following methods:

- A. The City shall post notices of Planning Commission meetings, outlining the date, time, place and topics to be discussed, on public bulletin boards within the City. This would include the City Hall, the County Courthouse, and local markets.
- B. In addition to the Oregonian and the Oregon Journal, there are two newspapers serving the area--the Madras Pioneer (a weekly), and The Bulletin (a Bend daily). Both papers have indicated a willingness to publish articles announcing meetings and general discussions of Planning Commission topics including any decisions that are rendered.
- C. Madras has a local television weather channel that allows placement of local notices. This is anticipated to provide an excellent method of notification go the general public.
- D. Local service organizations and clubs shall be informed on Planning Commission progress and discussion topics. These organizations include the Lions, Kiwanis, Chamber of Commerce, Epsilon Sigma Alpha Sorority, and the Jaycees.
- E. Technical assistance shall be provided to the Planning Commission and the general public by a planning consultant retained by the City. In addition,

technical assistance is available from the City Manager's office. As Madras is the County Seat of Jefferson County, both the County Planner and the County Extension Agent have indicated a willingness to assist in the planning process and to provide assistance to interested citizens.

Response/Finding:

The City of Madras and Jefferson County have provided the required property owner notices and public hearing notices in accordance with the City and County Zoning regulations.

UBG Boundary and Zone Change Notices

Specifically, on January 5, 2015 the City of Madras mailed notice to all properties within 750 feet of the subject property of the January 22, 2015 public hearing for the proposed UGB boundary and zone change. The January 22, 2015 hearing was canceled. Accordingly, the public hearing was rescheduled for March 18, 2015. City mailed a second notice to all property owners within 750 feet of the subject property of the March 18, 2015 public hearing on February 6, 2015. Additionally, the City requested the Madras Pioneer to publish a public hearing notice in the February 25, 2015 Madras Pioneer newspaper.

The City also sent notice to all property owners within 750 feet of the subject property of the public hearing before the Madras City Council on March 24, 2015. Similarly, the City requested the Madras Pioneer publish a public hearing notice for the March 24, 2015 public hearing before the City Council in the February 25, 2015 Madras Pioneer Newspaper.

The City also sent notice to all property owners within 750 feet of the subject property of the public hearing before the Jefferson County Board of Commissioners on April 1, 2015. Similarly, the City requested the Madras Pioneer publish a public hearing notice for the April 1, 2015 public hearing before the Jefferson County Board of Commissioners in the March 12, 2015 Madras Pioneer Newspaper.

Annexation Notices

The City mailed notice to the properties proposed to be annexed and all properties within 250 feet of the subject property of the January 16 public hearing before the Madras Planning Commission for the proposed annexation. Similarly, the City mailed notice to the properties proposed to be annexed and all properties within 250 feet of the subject property of the January 16, 2015 public hearing before the Madras City Council for the proposed annexation.

GOAL 2 - To establish a land use planning process and policy framework as a basis for all decisions and actions related to the use of the land and to insure an adequate factual base for such decisions and actions.

POLICIES - A. The City shall insure that the Comprehensive Plan serves as a basis for

future land use decision.

- B. The City shall be responsive to the changes in needs and conditions over time and amend the plan accordingly. The amendment process is discussed in the Land Use element.

Response/Finding:

The Jefferson County School District 509-J (District) applied for the proposed land use changes on December 29, 2014 and was deemed complete on that same day; all required submission forms and materials were made in accordance with City procedures, including filing the required city forms, providing legal descriptions for the proposed land partition and the urban growth boundary (UGB) adjustment, and required supporting documentation. The District also filed the required Annexation forms and submittal materials related to that request. The changes requested necessitate a change to the Comprehensive Plan. The review process for comprehensive plan amendments require legislative approval by both the City and Jefferson County following advisory hearings by the City and County planning commissions. The application for city annexation also requires a separate legislative approval by the City following an advisory hearing by the City planning commission. Notices about the land use application and proposed action followed City and County procedures. Advisory hearings were held at a joint planning commission hearing on March 18, 2015. The Madras City Council considered the UGB Boundary and Zone Change request at a public hearing on March 24, 2015. The Madras City Council considered the annexation request at a public hearing on April 4, 2015. Jefferson County Board of Commissioner considered the UGB Boundary and Zone Change request at a public hearing on April 14, 2015. The Jefferson County Board of Commissioner do not consider annexation requests to the City of Madras as specified in the City's Zoning Ordinance and the City and County UGAMA.

In taking up this matter, the City and County has been responsive to changes in the needs and conditions and to the procedural requirements established by the Comprehensive Plan.

GOAL 3 - To preserve and maintain agricultural lands.

- POLICIES** -
- A. To establish an Urban Growth Boundary to separate rural lands from urbanized lands.
 - B. Encourage establishment of exclusive farm use zoning outside the established Urban Growth Boundary.

Response/Finding:

The proposed land use plan amendment alters the Madras UGB to remove approximately 11.68 acres of land zone Range Land (RL) from the Jefferson County Zoning Map. In doing so, the 11.68 acres will be added to the Madras UGB and rezoned to OS/PF on the City's Zoning Map. Furthermore the proposed UGB adjustment and land division is drawn to place the North Unit Irrigation District's (NUID) lateral, an important agricultural infrastructure asset, outside the UGB. As such, the proposed action keeps

the high-value farmland outside the UGB and will bring in with lower value non-irrigated rangeland into the Madras UGB. The proposed action is in conformance with city and county land use policies.

GOAL 5 - To conserve open space and protect natural resources.

- POLICIES -
- A. The City shall preserve the scenic vistas afforded by the Cascade Mountain Range.
 - B. The City will limit conflicting uses of identified historic structures and establish a Zoning Ordinance procedure to review applications for proposed changes.

Response/Finding:

The site's present open space characteristics will not be affected until the land is developed. The property is not listed in the Madras or Jefferson County list of significant Goal 5 resources. The site is undeveloped and city and county records do not indicate development as ever occurred on the site. The site is not of significant historic or cultural value.

GOAL 7 - To protect life and property from natural disasters and hazards.

The purpose of Goal 7 is to reduce risk to people and property from natural hazards. In an effort to reduce risk, Goal 7 requires local governments to adopt natural hazard inventories, policies, and implementation measures into the comprehensive plan. Careful land-use planning can better prepare cities to deal with the damage that natural hazards can cause.

The Natural Hazards Chapter has two sections. The first part of the chapter is the inventory, which provides a definition of each hazard, a summary of risk, and additional information relevant to Madras for all eight of the natural hazards that Madras faces. The eight natural hazards are flood, winter storm, windstorm, earthquake, volcanic event, drought, wildfire, and landslide. The second part of the chapter lists several overarching, multi-hazard goals, followed by the goals, policies and implementation measures for each of the eight natural hazards. The goals, policies, and implementation measures identify opportunities to reduce the impacts of natural hazards on Madras.

Response/Finding:

The District's property is not shown to lie within any mapped hazard areas. The property is not subject to hazard mitigation regulations. Prior to development, the applicant is required to submit a development plan that addresses potential site hazards and to avoid or mitigate hazards.

GOAL 8 - To satisfy the recreational needs of the citizens of the City and its visitors.

- POLICIES -
- A. The City shall seek opportunities to develop the following recreational opportunities.
 - 1. Tennis Courts
 - 2. Handball and Racquet Courts
 - 3. Swimming Pool
 - 4. Bike Paths
 - 5. Publicly Owned 18-Hole Golf Course
 - 6. Hiking trails, public parks, play areas, and passive natural open spaces.
 - B. The City shall Improve and maintain a bike/hiking path along Willow Creek.
 - D. The City shall develop new neighborhood playground parks as the need occurs.

Response/Finding:

The proposed land use change increases the amount of Public Facility/Open Space land in the UGB by 10.76 acres. The land is owned by the school district, which may elect to build a school on the site. That use would include recreational facilities as part of the development. The site is larger than the footprint needed for an elementary school. The extra acreage may be used for a city park or another public facility. The City relies upon the implementing regulations contained in the City's Zoning Ordinance related to the OS/PF zone to ensure the property is used and developed in a manner consistent with the above stated policies.

GOAL 11 - To plan and develop a timely, orderly and efficient arrangement of public facilities and services to serve as a framework for urban and rural development.

Response/Finding:

The proposed land use change does not affect public facilities. The configuration of land in the UGB would be altered by the proposed action and the land area zoned OS/PF would be increased slightly. Table 2 (above) demonstrates the change in OS/PF inventory is insignificant. Existing water and sanitary sewer master plans account for a public facility use at this location. The proposed amendments have no effect on public facilities. The altered UGB boundary also has no effect on the ability to extend water, sewer, and other public facilities to the site. Utility service extensions would not be altered by this minor adjustment to the UGB.

GOAL 12 - To provide and encourage a safe, convenient, and economical transportation system.

Response/Finding:

The proposed land use change increases the amount of Open Space/Public Facility land in the UGB by 10.76 acres. The property owner intends to convey Parcel 3 (6.69 acres) to Jefferson County for future cemetery property. Jefferson County may realign Bean Drive to allow for enhanced utilization of their property for the cemetery. In such case, Bean Drive will be realigned to the east side of Parcel 3 in which case access to the properties on the east side of Bean Drive near the cemetery may change.

The uses allowed by City's OS/PF zone were already anticipated in the Madras Transportation System Plan in this part of the UGB. Use of the land is not altered by the change and the scale of the change is insignificant from a traffic generation standpoint. The proposed change in the UGB and EFU zoning for the land that would be removed from the UGB would not affect access to irrigated farmland from county transportation facilities. The change in the UGB would not affect the location or operation of the NUID lateral. The Madras development code requires that when development occurs on the land inside the UGB (Parcels 2 & 3), the applicant must mitigate significant traffic impacts beyond what is planned for in the TSP. A transportation analysis for access and traffic management will be prepared when development occurs. The proposal is consistent with City transportation plans.

GOAL 14 - To provide for an orderly and efficient transition from rural to urban land, and to provide for livable communities.

- POLICIES** -
- A. The City, in cooperation with Jefferson County, shall establish an Urban Growth Boundary.
 - B. The City, in cooperation with Jefferson County, shall mutually agree to a management plan for the Urban Growth Boundary area.
 - C. The City, in cooperation with Jefferson County, shall establish an Urban Growth Boundary revision process to be utilized in a proposed change of the Urban Growth Boundary.
 - D. The City shall encourage the development of complete, livable communities that include characteristics such as: a variety of lot sizes, dwelling unit types and ownership types, open spaces and other recreational amenities, a mix of land uses, school and community facilities, connected streets, proximity to downtown and other employment centers, and development that is scaled to the pedestrian and creates a sense of place. New growth areas should be developed in accordance with the Master Planned Community Overlay zone, which requires generous open space and amenities, and encourages efficient use of land and public facilities and services, a variety of housing types, innovative designs and complete pedestrian-friendly communities. Physical barriers, such as highways, tend to disrupt complete

communities and livability because they disconnect areas from downtown and result in an auto-oriented environment of sprawl along highway corridors.

Response/Finding:

Policies A – C are addressed below. Policy D is not affected by the proposal because the proposed use of the land is unchanged. In effect, all the change does is alter the configuration of land in the UGB. The scale and location of allowed uses are generally the same and the marginal increase in OS/PF land is insignificant. The change does not increase the inventory of developable urban land for housing or employment. The change is not being made to address an urban land need but rather to align the location of the UGB with city and county policies for protecting high-value farmland. The altered UGB configuration shifts the OS/PF land to the south where it will be adjacent to the Yarrow Master Planned Community. The change is consistent with city and county urbanization policies.

2. Urban Growth Boundary Revisions

The Urban Growth Boundary as shown on the Comprehensive Plan Map has been mutually agreed upon and adopted by both the City of Madras and Jefferson County. From time to time, it may be necessary to amend the Urban Growth Boundary. Because two separate jurisdictions are involved, the Urban Growth Boundary amendment process can be quite complicated. In order to provide the most direct approach and hopefully simplify the process, the following steps shall be taken:

- A. The proposed amendment to the Urban Growth Boundary may be initiated by the City of Madras or Jefferson County, or other governmental agencies or private individuals. Cost for notification and advertising shall be borne by the applicant.
- B. The Madras City Planning Commission shall conduct a public hearing concerning the proposed boundary amendment. Notice of public hearing requirements shall be the same as those outlined in the quasi-judicial process of the Comprehensive Plan.
- C. Citizen and Agency Involvement Programs shall be utilized to stimulate public interest and participation in the amendment process.

Response/Finding:

Compliance with A –C are addressed above in responses to Goals 1 and 2.

- D. In order to make a favorable recommendation on the boundary revision, the Planning Commission shall make its recommendation based upon the consideration of the following factors:
 - 1. Demonstrated need to accommodate long-range urban population growth requirements consistent with Statewide Planning Goals.
 - 2. Need for housing, employment opportunities, and livability.
 - 3. Orderly and economic provision for the public facilities and services.

4. Maximum efficiency of land uses within and on the fringe of the existing urban area.

Response/Finding:

Factors 1 – 4 are not relevant to the decision because they deal with developable land supply and serviceability issues. This decision only deals with the configuration of the UGB and the characteristics of land included in the boundary.

5. Environmental, energy, economic, and social consequences.

Response/Finding:

The proposed action is not significant in terms of E,E,S,E factors. While the change would increase the amount of OS/PF land in the boundary, Table 2 of the application demonstrates that the change is insignificant. Moreover, the property is not considered a significant Goal 5 Resource in either the Madras or Jefferson County land use plans. As such, an EESE analysis is not necessary.

6. Retention of agricultural land as defined, with Class I being the highest priority for retention and Class VI the lowest priority.

Response/Finding:

The proposed action would remove high priority irrigated farmland from the UGB and rezone that land from OS/PF to Exclusive Farm Use on the County's Zoning Map. It would replace the excluded high-value farmland with lower-value rangeland that is not irrigated. That land has Class VII soils. The map change would bring the city land use plan into conformance with this policy for the subject property.

7. Compatibility of the proposed urban uses with nearby agricultural activities.

Response/Finding:

The proposed change would place the NUID Irrigation lateral, which is an essential agricultural infrastructure asset, entirely outside the Madras UGB. This would reduce potential operating conflicts between the irrigation lateral and development inside the UGB. The southern land parcel that is proposed to be included in the UGB would be zoned OS/PF. This zone does not permit housing. The zoning helps to buffer adjacent agricultural uses from urban uses.

- E. The City of Madras Planning Commission recommendations and findings shall be forwarded to the Jefferson County Planning Commission for review and consideration. The Jefferson County Planning Commission may adopt, reject, or modify the recommendation, or may conduct a second public hearing (procedural requirements of which will be in-conformance with the adopted hearing process of Jefferson County) to consider the proposed amendment.
- F. The two Planning Commission recommendations and findings shall then be transmitted to the Madras City Council for review and consideration. The City Council may adopt, reject,

or modify the recommendations of the Planning Commission, or may conduct another public hearing to receive public input on the proposed amendment.

- G. The City Council upon acting on the proposed amendment to the Urban Growth Boundary, shall then forward its findings to the Jefferson County Board of Commissioners for review and consideration. The Jefferson County Board of Commissioners must conduct a public hearing on the proposed amendment. If, for any reason, the County Board of Commissioners in its findings should determine the boundary line as adopted by the Madras City Council is inappropriate, such findings shall be returned to the Madras City Council for review prior to the formal adoption by the County.
- H. A joint work session of the two governing bodies may be required to develop mutual understanding of the issues involved.
- I. In the event the matter cannot be mutually agreed upon, the Land Conservation and Development Commission may be requested to assist in resolving the matter.

Response/Finding:

The application review proceedings followed the process outlined in E. – H above. A joint hearing of the Madras and Jefferson County planning commissions was held on March 18, 2015. The Commission's recommendations to **approve, approve with conditions or modifications, or deny** were forwarded to the Madras City Council, which took up the question in a public hearing on **March 24, 2015**. The Jefferson County Commission took up the question in a public hearing on **April 1, 2015**. A joint work session was not deemed necessary. The question of review by DLCD is not relevant at this point in the proceedings. The proposal complies with the policy framework for land use decisions that alter the location of the UGB.

4. Conformance with the Urban Growth Area Management Agreement (UGAMA)

UGA Administration Responsibilities

- A. The City shall have responsibility for administration and decision-making authority regarding all land use application within the UGB except applications for amendments to the UGB, as provided in Section 6.

Response/Finding:

The property in question lies partly in the UGB and partly outside. An amendment to the UGB is required in order to partition the land and annex the property into the city. The process for amending the UGB involves legislative action by both the City and Jefferson County. The applicant initiated the proposed action involving both the City and County in a legislative amendment process.

- B. The City shall have responsibility for annexation of land in the UGB. Lands outside the UGA shall not be annexed unless the UGB is also amended to include the territory to be annexed.

Response/Finding:

The applicant has initiated a process to amend the UGB concurrent with its application for annexation of that part of the property now outside the UGB. The City and County reached a decision that the property subject to the petition for annexation is in the UGB.

5. PROCESS FOR URBAN GROWTH BOUNDARY AMENDMENTS

- A. Amendments to the UGB, including amendments to the City's and County's comprehensive plan maps, may be initiated by the City, the County, or a property owner(s).
- B. An application to amend the UGB shall be filed with the City Community Development Department along with the applicable City and County plan amendment fees. The City shall forward a copy of the application to the County Community Development Department, together with the County's plan amendment fee, within five working days of the date the application is filed.

Response/Finding:

The property owner, Jefferson School District 509-J, initiated the process to amend the UGB with the City of Madras. The City of Madras provided a copy of the application and materials to the Jefferson County Community Development Department.

- C. The City and County Planning Commission shall each conduct a public hearing regarding the application. At their discretion, the Planning Commissions may hold a joint hearing rather than separate hearings.

Response/Finding:

The Madras Planning Commission and Jefferson County Planning Commission held a joint public hearing on the request to amend the UGB on March 18, 2015.

- D. The recommendation of the City and County Planning Commissions shall be forwarded to City Council, who shall hold a public hearing to consider the proposed amendment to the UGB. The decision of the City Council shall be forwarded to the County Board of Commissioners.

Response/Finding:

The Planning Commissions' recommendation to **approve** the proposal were forwarded to the Madras City Council, which took up the question to amend the UGB in a public hearing on March 24, 2015. The Jefferson County Commission took up the question in a public hearing on April 1, 2015

- E. The Board of Commissioners shall conduct a public hearing and make a final decision on whether the UGB should be amended.

Response/Finding:

ATTACHMENT A

The Jefferson County Commission took up the question to amend the UGB in a public hearing on April 1, 2015.

- F. If the City and County disagree on the proposed amendments, a joint hearing of the City Council and Board of County Commissioners may be held to attempt to resolve the differences. Both jurisdictions may also request a dispute resolution process to resolve the differences.

Response/Finding:

The City Council and Jefferson County **did/did not reach mutual agreement** on the proposed UGB amendment.

- G. If the governing bodies are not able to come to mutual agreement there shall be no change to the UGB.

Response/Findings:

The governing bodies ...

Conclusion: The proposed map amendments comply with applicable local requirements for UGB amendments per the UGAMA between Jefferson County and the City of Madras, adopted April 5, 2006.

Conformance with the Jefferson County Comprehensive Plan

GOAL 14 - Urbanization

- POLICIES-
1. Changes to urban growth boundaries, the establishment of new urban growth boundaries or urban reserve areas, incorporation of a new city, or annexation of land into a city which is not in an established urban growth boundary requires an amendment to this Plan and the Zoning Map. The following factors should be used in considering such proposals:
 - A. Demonstrated need to accommodate long-range urban population consistent with a 20- to 50-year population forecast coordinated with the cities;
 - B. Demonstrated need for housing, employment opportunities, livability or uses such as public facilities, streets and roads, schools, parks or open space;
 - C. Orderly and economic provision of public facilities and services;
 - D. Maximum efficiency of land uses within and on the fringe of the existing urban area.

Response/Finding:

The proposed change to the UGB is consistent with County Comprehensive Plan policies to preserve and protect high-value irrigated farmland over other agricultural resource lands. A petition to amend the UGB was considered concurrently with a request to the City of Madras to Annex and partition the subject property. Policies A – C are not applicable because the UGB amendment request does not involve a question related to urbanizable land supply or orderly and economic provision of public services.

- E. Comparative environmental, energy, economic and social consequences;

Response/Finding:

The proposed action is not significant in terms of energy, economic and social consequences (E,E,S,E) factors. While the change would increase the amount of OS/PF land in the boundary, Table C.2 of the application demonstrates that the change is insignificant. Moreover, the property is not considered a significant Goal 5 Resource in either the Madras or Jefferson County land use plans. As such, an EESE analysis is not necessary.

- F. Compatibility of the proposed urban uses with nearby agricultural activities on land outside the UGB; and

Response/Finding:

The proposed action would remove high priority irrigated farmland from the UGB and retain the existing exclusive farm use designation for this portion of the subject property. The UGB boundary adjustment would replace the excluded high-value farmland with lower-value rangeland that is not irrigated. That land has Class VII soils. The map change would bring the city land use plan into conformance with this policy for the subject property.

- G. Priority of land as required by ORS 197.298. Non-irrigated parcels may be added to the UGB before irrigated parcels that are in the same statutory priority.

Response/Finding:

The proposed change would place the NUID Irrigation lateral, which is an essential agricultural infrastructure asset, entirely outside the Madras UGB. This would reduce potential operating conflicts between the irrigation lateral and development inside the UGB. The southern land parcel that is proposed to be included in the UGB would be zoned OS/PF. This zoning designation does not permit housing. The zoning indirectly will help to buffer adjacent agricultural uses from urban uses by placing public use(s) between agricultural and residential uses.

- POLICIES- 2. The County shall cooperate with each city to determine where and when an urban growth boundary should be expanded.
1. Expansion of an existing urban growth boundary shall be in accordance with state requirements, including the priority of land to be included within the urban growth boundary. Non-irrigated land should have a higher priority for inclusion in the boundary than irrigated land.

Response/Finding:

The proposed land swap does not materially increase urbanizable land in the Madras UGB such that it requires an update to the City's Buildable Lands Inventory, Housing Needs Analysis, Economic Opportunities Analysis, or other related inventories that individually or collectively establish the amount of land the City of Madras needs to fulfill the requirements of Statewide Planning Goal 2—Land Use. Non-irrigated land is being swapped in and irrigated land out of the UGB. The amendments draw from non-irrigated land in the Madras URA, which is the first priority land to include in the UGB pursuant to state statute. The proposed public facility/ open space uses inside the UGB are compatible with resource uses adjacent and outside the UGB. The land swap adds protection to high -value irrigated farm resource land. The proposed map amendments comply with applicable Statewide Planning Goals, statutes, and administrative rules.

Conclusion: The proposed map amendment complies with applicable policies from the Jefferson County Comprehensive Plan.

Conformance with State Statutes

A. Oregon Revised Statutes

Chapter 197 – Comprehensive Land Use Planning Coordination

197.250 Compliance with goals required.

Except as otherwise provided in ORS 197.245, all comprehensive plans and land use regulations adopted by a local government to carry out those comprehensive plans and all plans, programs, rules or regulations affecting land use adopted by a state agency or special district shall be in compliance with the goals within one year after the date those goals are approved by the Land Conservation and Development Commission.

RESPONSE/ FINDING:

The Oregon Department of Land Conservation Department has acknowledged the City of Madras' Comprehensive Plan and Zoning Ordinance. Recent amendments to the Madras Comprehensive Plan and map were acknowledged by DLCD on May 5, 2010. Therefore, the City of Madras is compliant with ORS 197.250.

197.747 Meaning of “compliance with the goals” for certain purposes.

For the purposes of acknowledgment under ORS 197.251, board review under ORS 197.805 to 197.855, review of a proposed regional problem-solving agreement under ORS 197.652 to 197.658 or periodic review under ORS 197.628 to 197.650, “compliance with the goals” means the comprehensive plan and regulations, on the whole, conform with the purposes of the goals and any failure to meet individual goal requirements is technical or minor in nature.

RESPONSE:

The City of Madras does not challenge the interpretation of ORS 197.747. Additionally, the Oregon Department of Land Conservation and Development has acknowledged the City of Madras Comprehensive Plan and Zoning Ordinance (No. 723). By definition, the City of Madras Comprehensive Plan and Zoning Ordinance (No. 723) comply with ORS 197.747.

FINDING:

By definition, the City of Madras Comprehensive Plan and Zoning Ordinance (No. 723) comply with ORS 197.747.

197.752 Lands available for urban development.

1. Lands within urban growth boundaries shall be available for urban development concurrent with the provision of key urban facilities and services in accordance with locally adopted development standards.

RESPONSE:

The property proposed to be annexed into the Madras UGB is available for urban development. Key urban facilities (i.e. wastewater, domestic water, storm water and

transportation) will be extended to the subject property when proposed to be developed. The extension of these facilities will require compliance with the City of Madras Wastewater Master Plan, City of Madras Storm Water Master Plan, City of Madras Transportation System Plan, Deschutes Valley Water District Master Plan, and the City of Madras public improvement standards contained City of Madras ordinances.

FINDING:

The subject property is being incorporated in the Madras Urban Growth Boundary. Key urban facilities will be extended to the subject properties when development occurs. The extension of all public facilities will comply with the plans, policies and standards of the service provider's.

2. Notwithstanding subsection (1) of this section, lands not needed for urban uses during the planning period may be designated for agricultural, forest or other nonurban uses.

RESPONSE/FINDING:

This provision is not applicable. The land in question is anticipated to be needed for a public facility or open space use within the planning period.

197.754 Land identified for urban services; capital improvement plan; tax assessment.

1. A local government may identify land inside an urban growth boundary for which the local government intends to provide urban services within the next five to seven years. The local government may evidence its intent by adopting a capital improvement plan reasonably designed to provide the urban services.

RESPONSE/FINDING:

This rule provision is not applicable in Madras. The Urban Growth Management Agreement between Madras and Jefferson County names the city as the primary service provider for all land within the UGB. Annexation is required as a condition of receiving urban services.

2. (a) Land in an area zoned for urban uses under this section shall not be subject to additional taxes under ORS 308A.700 to 308A.733 if the land ceases to be used for farm use within the five years following the date the area is zoned for urban uses.
(b) A lot or parcel in an area zoned for urban use under subsection (2) of this section shall not be assessed at its value for farm use under ORS 308A.050 to 308A.128 unless the lot or parcel was receiving the farm use assessment at the time the area was zoned for urban uses.

RESPONSE & FINDING:

ORS 197.752(3)(a) and (b) apply to the subject properties.

UGB & Zone Change Conformance with Statewide Land Use Goals

GOAL 1 - *To develop a Citizen Involvement program that insures the opportunity for all citizens to be involved in all phases of the planning process.*

Response:

The proposed amendments have been reviewed during a series of public meetings and hearings in order to allow for consideration by public officials and public feedback.

1. The Jefferson County School District 509-J ("JCSD" or "District") Board ("Board") was generally briefed by the Madras Community Development Director about the UGB amendment and annexation process.
2. A joint public hearing took place before the Madras and Jefferson County Planning Commissions on March 18, 2015. Notices of the hearings were published in the Madras Pioneer. Public notice also was posted at the Madras City Hall, Jefferson County Annex, US Postal Service Office, and the Jefferson County Library at 7 days prior to the March 18, 2015 Madras and Jefferson County Planning Commission meeting.
3. All property owners within 750 feet of the properties proposed to be included in the Madras UGB were notified of the proposed land use action. Adjacent property owners were notified that the file was available for review at the City of Madras and Jefferson County Community Development Departments and that copies of any information would be provided at a cost of .25/page. The agenda for the Planning Commission was posted at Madras City Hall, Jefferson County Annex, US Postal Service Office, and the Jefferson County Library 7 days prior to the March 18, 2015 joint Planning Commission meeting.
4. As discussed above the City proposes to reconfigure the UGB boundary affecting one property that totals 69.25 acres. The parcel will be divided into two parcels with the southern parcel included into the City of Madras Urban Growth Boundary. This action constitutes a potential "land use change" that would typically require notice to affected property owners. ORS 227.186 (Measure 56 notice) requires property owners to be notified of legislative acts relating to comprehensive plan, land use planning or zoning proposed by the City. Additionally, the proposed Comprehensive Plan amendment is limited the lone property shown in Figures 1-4. As such, a city-wide notice is not required; individual notice to properties within 750 feet of the proposed partition and UGB amendment is required.
 - i. The property owner has signed Consent to Annex agreement.
 - ii. 45-day notice to DLCD was sent to DLCD staff on December 31, 2015.
 - iii. The land within the parent parcel that is being swapped in/out of the UGB result in an exchange of land from the Madras Urban Reserve Area (URA); that land is first priority for inclusion in the Madras UGB.

Findings:

According to both their Comprehensive Plans and code, the City of Madras and Jefferson County Planning Commissions serve as their official citizen planning committees. Materials were made available to the public at Madras City Hall and the Jefferson County Community Development Department. Measure 56 notice was not issued because the proposed post-acknowledgment plan amendment is property specific and does not involve additional regulations to the properties proposed to be annexed. 45-day notice of proposed plan amendment was sent to the Department of Land Conservation and Development (DLCD) on December 31, 2015 prior to the start of hearings held by County and City Planning Commissions and legislative bodies. Notices of the public meetings were published in the City's local newspaper, including contact information for the City and County.

Conclusion:

The proposed map amendment complies with the State's requirements for citizen involvement per Statewide Land Use Planning Goal 1.

GOAL 2 - *To establish a land use planning process and policy framework as a basis for all decisions and actions related to use of land and to assure an adequate factual base for such decisions and actions.*

Response:

The UGB land swap and annexation involves one property. Part of that property currently is in the Madras UGB. The property has three zoning designations: Jefferson County EFU and Rangeland (RL) zones apply to land outside the Madras UGB; Open Space/Public Facility zoning applies to the land inside the Madras UGB. The swap will consolidate all of the property's irrigated farmland in one parcel, which will be rezoned EFU. Approximately 3 acres of the subject property that is currently used for agricultural purposes, is in the UGB but is proposed to be removed from the the UGB. The remaining land, including all rangeland, will be included inside the Madras UGB and zoned OS/PF. These changes involve a land partition, an urban growth boundary amendment, annexing land included in the UGB into the City, and rezoning land in the County consistent with city and county land use plans. The comprehensive plans for the city and county require that the changes proposed in this land use action must be approved through a legislative land use review process.

The applicant and property owner filed their land use application in accordance with the legislative approval process required by the Madras Comprehensive Plan and related city and county ordinances.

All land use applications or legislative proposals to expand the Madras UGB must be accompanied by information that documents the following:

1. The proposed urban zoning or land use program for the subject properties that address an identified urban land need;
2. An annexation program for all subject properties;
3. Evidence that public facilities required by OAR 660-011-000 that are necessary to serve the expansion area can be served either by system improvements outlined in adopted public facility master plans or by supplemental improvements that augment adopted public facility master plans;
4. Evidence that the proposed zoning or land use plan complies with requirements of OAR 660-0012-0060 either by demonstrating that planned improvements in the Madras Transportation System Plan (TSP) have capacity to meet transportation needs for the proposed expansion area or through supplemental transportation improvements that augment the adopted TSP to meet the need;
5. Evidence that providers of other crucial public facilities (e.g. schools, parks and recreation, emergency services and health care) are able to meet the projected demand for their services;
6. Evidence that financing for constructing needed public improvements is available so that the expansion area can be developed as planned within the planning horizon;
7. Evidence that development in areas subject to natural hazards are protected from these hazards;
8. Evidence that known or probable significant resources related to open space, scenic areas, historic places or structures, and fish and wildlife habitat will be protected from development impacts or have development impacts offset using appropriate mitigation measures.

Response:

These criteria have been addressed previously under the findings related to the Madras Comprehensive Plan, Goal 14. Those findings are incorporated here by reference.

Conclusion:

The proposed map and text amendments comply with State requirements for land use planning per Statewide Land Use Planning Goal 2.

GOAL 3 - *To preserve and maintain agricultural lands.*

Response:

The subject property is being partitioned such that irrigated farmland is consolidated into one tax lot and non-irrigated land is consolidated in another tax lot. The irrigated land, including 3 acres of land now inside the Madras UGB, is being excluded from the UGB. The non-irrigated land will be included in the UGB and annexed into the City of Madras. The resulting land swap adds 11.686 acres of rangeland to the urban growth boundary; this land is being zoned Open Space/Public Facility (OS/PF). The OS/PF zone does not allow housing or commercial/industrial employment uses. The land swap adds to Jefferson County's inventory of protected high-value farmland zoned EFU. The proposed swap replaces the irrigated farmland that is being removed from the UGB with non-

irrigated rangeland. This results in a small increase in the overall size of the Madras UGB. The increase in the UGB land supply is an considered insignificant amount - 9.96 acres - and has no effect on the type or scale of OS/PF use that may be developed at this location. The land swap is supported by Madras Comprehensive Plan Goal 3 – Agriculture.

Findings:

1. The proposed UGB amendment and annexation area swaps land between the existing UGB and the Madras URA, which top priority land for inclusion in the UGB pursuant to ORS 197.298(a).
2. The land swap adds protection to high-value farmland by removing it from the UGB. It also places the NUID irrigation lateral outside the UGB.

Conclusion:

The proposed map amendments comply with State requirements for agricultural lands per Statewide Land Use Planning Goal 3.

GOAL 3 - *To protect natural resources and conserve scenic and historic areas and open spaces.*

Response:

Madras Comprehensive Plan policy language regarding protection of open space, scenic, wildlife, and cultural resources was adopted as part of amendments to Goal 14 (Urbanization). All land use applications or legislative proposals to expand the Madras UGB must be accompanied by information that documents the following:

Evidence that known or probable significant resources related to open space, scenic areas, historic places or structures, and fish and wildlife habitat will be protected from development impacts or have development impacts offset using appropriate mitigation measures. The Jefferson County Comprehensive Plan, Goal 5 inventory does not list the land in question as a significant Goal 5 resource site. The Jefferson County Geographic Information System (GIS) files does not identify any wetlands, floodplains, significant wildlife habitat, historic buildings or places, or cultural resources for this property. The only resource that may apply to the site is open space. The land included in the UGB will be zoned OS/PF. Open space is a required element of a school or public facility use that may develop on the land included in the UGB. The proposal itself is not a development or entitlement proposal; the applicant, therefore, is not required to specify precisely where such open space may be designated.

Findings:

Goal 14 of the City's Comprehensive Plan requires identification of protective measures for significant open space, scenic, historic, cultural and natural resources in proposed UGB expansion areas. The Jefferson County Comprehensive Plan and Goal 5 inventory does not identify natural, scenic, or cultural resources in the proposed UGB amendment

and annexation area. Open space designations will be made as part of development entitlement for the proposed UGB amendment and annexation.

Conclusion:

The proposed map amendment complies with State requirements for open space, scenic and historic areas, and natural resources per Statewide Land Use Planning Goal 5.

GOAL 6 - *To maintain and improve the quality of the air, water and land resources of the state.*

Response:

According to the U.S. Environmental Protection Agency (EPA) and the Oregon Department of Environmental Quality (ODEQ) there are no federally designated air quality management areas or federally designated hazardous waste sites in the Madras UGB. There are no Environmental Cleanup Sites listed on ODEQ's website within the subject property. Further, the OS/PF zoning proposed for the swap area brought in to the city will not result in any more noise, air, land, and water pollution than was anticipated on the land being removed.

Findings:

There are not federal- or state-registered environmental quality sites within the proposed UGB swap and annexation area. The amendment and annexation area is not expected to result in any additional air, water, or land resource quality impacts.

Conclusion:

The proposed map amendments comply with State requirements for air, water and land resources per Statewide Land Use Planning Goal 6.

GOAL 7 - *To protect people and property from natural hazards.*

Response:

Potential natural hazards in Madras include landslides on steep slopes, floodway and floodplain inundation, and wildfire. Statewide Land Use Planning Goal 7 is reinforced in Madras Comprehensive Plan policies (Goals 7 and 14) by insulating planned development from identified natural hazards. The plan policies require the following of proposed UGB amendments:

1. All land use applications or legislative proposals to expand the Madras UGB must be accompanied by information that documents the following:
2. Evidence that development in areas subject to natural hazards are protected from these hazards;

There are no steep slopes (slopes greater than 25%), floodway, or floodplain land in the proposed annexation area. Fire protection service for the proposal area is currently

provided by Jefferson County Fire Protection District #1, and will continue to be provided by that district when the land is annexed to the city. The area is subject to a Community Wildfire Protection Plan (CWPP) that Jefferson County completed in 2005 in collaboration with the fire district and federal agencies.

Findings:

- There are not steep slopes (slopes greater than 25%), floodway, or floodplain land in the proposed UGB expansion and annexation area.
- Jefferson County Fire Protection District #1 provides fire protection service to the proposed amendment and annexation area. The area is subject to the Community Wildfire Protection Plan (CWPP) developed and adopted by the County, the fire district, and federal agencies.

Conclusion:

The proposed map amendments comply with State requirements for areas subject to natural hazards per Statewide Land Use Planning Goal 7.

GOAL 10 - *To encourage the availability of adequate numbers of needed housing units at price ranges and rent levels which are commensurate with the financial capabilities of Oregon households and allow for flexibility of housing location, type and density.*

Response:

This proposal does not affect the inventory of land for residential use.

Conclusion:

The proposed map amendments comply with State requirements for housing per Statewide Land Use Planning Goal 10.

GOAL 11 - *To plan and develop a timely, orderly and efficient arrangement of public facilities and services to serve as a framework for urban and rural development.*

Requirements for Urban Facilities and Service – *Refers to key facilities and to appropriate types and levels of at least the following: police protection; sanitary facilities; storm drainage facilities; planning, zoning and subdivision control; health services; recreation facilities and services; energy and communication services; and community governmental services.*

Planning Guidelines – *A public facility or service should not be provided in an urbanizable area unless there is provision for the coordinated development of all the other urban facilities and services appropriate to that area.*

Response:

According to terms of the UGAMA between Jefferson County and the City of Madras, the City will be the primary service provider for land within its UGB, in particular coordinating police, sewer, storm water, land use, recreation, energy, and governmental services. Transportation facilities are addressed in detail in the response and findings for Statewide Goal 12.

The proposed land swap will not have any effect on the City or other service providers to serve the affected property. The change does not increase demand for these services nor alter the location where they will be needed in a significant way. The marginal increase in OS/PF land inventory is so small as to be insignificant with respect to demand for public facility services.

Findings:

Implementation of public facilities and services in Madras is primarily regulated by land use plans and ordinances and public facility master plans, which are elements of the City Comprehensive Plan. The City of Madras will be the primary provider of urban facilities and services in the proposed UGB amendment and annexation area. The City will be able to coordinate service to the area with facilities and services already provided to adjacent land within the existing UGB. When development occurs on the land swapped into the Madras UGB, the property owner will be responsible for cost to extend sewer and domestic water facilities and other required public facilities.

Conclusion:

The proposed map and text amendments comply with Goal 11 for public facilities and services subject to OAR 660, Division 11.

GOAL 12 - *To provide and encourage a safe, convenient and economic transportation system.*

OAR 660-012-0060

Plan and Land Use Regulation Amendments

1. *Where an amendment to a functional plan, an acknowledged comprehensive plan, or a land use regulation would significantly affect an existing or planned transportation facility, the local government shall put in place measures as provided in section (2) of this rule to assure that allowed land uses are consistent with the identified function, capacity, and performance standards (e.g. level of service, volume to capacity ratio, etc.) of the facility. A plan or land use regulation amendment significantly affects a transportation facility if it would:
 - a. *Change the functional classification of an existing or planned transportation facility (exclusive of correction of map errors in an adopted plan);*
 - b. *Change standards implementing a functional classification system; or*
 - c. *As measured at the end of the planning period identified in the adopted transportation system plan:
 - i. *Allow land uses or levels of development that would result in types or levels of***

ATTACHMENT A

- travel or access that are inconsistent with the functional classification of an existing or planned transportation facility;*
- ii. Reduce the performance of an existing or planned transportation facility below the minimum acceptable performance standard identified in the TSP or comprehensive plan; or*
 - iii. Worsen the performance of an existing or planned transportation facility that is otherwise projected to perform below the minimum acceptable performance standard identified in the TSP or comprehensive plan.*
2. *Where a local government determines that there would be a significant effect, compliance with section (1) shall be accomplished through one or a combination of the following:*
- a. Adopting measures that demonstrate allowed land uses are consistent with the planned function, capacity, and performance standards of the transportation facility.*
 - b. Amending the TSP or comprehensive plan to provide transportation facilities, improvements or services adequate to support the proposed land uses consistent with the requirements of this division; such amendments shall include a funding plan or mechanism consistent with section (4) or include an amendment to the transportation finance plan so that the facility, improvement, or services will be provided by the end of the planning period.*
 - c. Altering land use designations, densities, or design requirements to reduce demand for automobile travel and meet travel needs through other modes.*
 - d. Amending the TSP to modify the planned function, capacity or performance standards of the transportation facility.*
 - e. Providing other measures as a condition of development or through a development agreement or similar funding method, including transportation system management measures, demand management or minor transportation improvements. Local governments shall as part of the amendment specify when measures or improvements provided pursuant to this subsection will be provided.*

Response:

Reflecting Statewide Goal 12 and the Transportation Planning Rule, UGB amendment applications must provide the following pursuant to Madras Goal 14 policies:

4. Evidence that the proposed zoning or land use plan complies with requirements of OAR 660-0012-0060 either by demonstrating that planned improvements in the Madras Transportation System Plan (TSP) have capacity to meet transportation needs for the proposed expansion area or through supplemental transportation improvements that augment the adopted TSP to meet the need: (Madras Comprehensive Plan Policy J-4)

The proposed land swap will not result in additional traffic generation. The zoning remains the same and the scale of development envisioned for the OS/PF land essentially is unchanged. The property configuration is modified but the change will not affect traffic volumes and may reduce impacts by shifting development away from the Loucks Road/Bean Drive intersection.

Findings:

Transportation system plan anticipated that the area would be developed as open space and public facilities, including the possibility of a school or park. The proposed amendment would not significantly alter the location or scale of those uses.

Conclusion:

The proposed map amendments comply with Goal 12 and OAR 660-015- 0060.

GOAL 13 - *To conserve energy.*

Response:

The proposed land swap would not alter the location or scale of planned public facility/open spaces uses and, therefore, is neutral with respect to energy impacts.

Conclusion:

The proposed map amendments comply with State requirements for energy conservation per Statewide Land Use Planning Goal 13.

GOAL 14 - *To provide for an orderly and efficient transition from rural to urban land use; to accommodate urban population and urban employment inside urban growth boundaries; to ensure efficient use of land, and to provide for livable communities; orderly and economic provision of public facilities and services.*

Response:

The proposed partition, land swap, and rezone removes high-value farm land from the UGB and replace it with lesser value rangeland. There is no change in the planned uses for this part of the UGB. The action reconfigures the shape of the UGB to exclude higher value resource land in exchange for lower value rangeland. The marginal increase in OS/PF land inventory is insignificant and will not alter the urban land development pattern in the area. The OS/PF land will be in close proximity to an existing city park that is located south of Richardson Street and east of Bean Drive. This change will result in the development of public facilities closer to planned higher-density residential uses (e.g. Yarrow Master Planned Community).

Conclusion:

The proposed map amendments comply with State requirements for urbanization per Statewide Land Use Planning Goal 14.

Chapter 197 – Comprehensive Land Use Planning Coordination

197.296 Priority of land to be included within urban growth boundary.

1. In addition to any requirements established by rule addressing urbanization, land may not be included within an urban growth boundary except under the following priorities:
 - a. First priority is land that is designated urban reserve land under ORS 195.145, rule or metropolitan service district action plan.
 - b. If land under paragraph (a) of this subsection is inadequate to accommodate the amount of land needed, second priority is land adjacent to an urban growth boundary that is identified in an acknowledged comprehensive plan as an exception area or non-resource land. Second priority may include resource land that is completely surrounded by exception areas unless such resource land is high-value farmland as described in ORS 215.710.
 - c. If land under paragraphs (a) and (b) of this subsection is inadequate to accommodate the amount of land needed, third priority is land designated as marginal land pursuant to ORS 197.247 (1991 Edition).
 - d. If land under paragraphs (a) to (c) of this subsection is inadequate to accommodate the amount of land needed, fourth priority is land designated in an acknowledged comprehensive plan for agriculture or forestry, or both.
 - e. Higher priority shall be given to land of lower capability as measured by the capability classification system or by cubic foot site class, whichever is appropriate for the current use.
 - f. Land of lower priority under subsection (1) of this section may be included in an urban growth boundary if land of higher priority is found to be inadequate to accommodate the amount of land estimated in subsection (1) of this section for one or more of the following reasons:
 - g. Specific types of identified land needs cannot be reasonably accommodated on higher priority lands;
 - h. Future urban services could not reasonably be provided to the higher priority lands due to topographical or other physical constraints; or
 - i. Maximum efficiency of land uses within a proposed urban growth boundary requires inclusion of lower priority lands in order to include or to provide services to higher priority lands. [1995 c.547 §5; 1999 c.59 §56]

Response:

The proposed UGB amendment swaps land from inside the Madras UGB with land that is in the Madras URA, which is the first priority of land to be included within the UGB pursuant to ORS 197.298(1)(a). The swap removes high value irrigated farm land from the UGB and replaces it with non-irrigated lower value rangeland. This complies with the aim of ORS 197.298.

197.610 Local government notice of proposed amendment or new regulation; exceptions; report to commission.

1. A proposal to amend a local government acknowledged comprehensive plan or land use regulation or to adopt a new land use regulation shall be forwarded to the Director of the Department of Land Conservation and Development at least 45 days before the first

ATTACHMENT A

evidentiary hearing on adoption. The proposal forwarded shall contain the text and any supplemental information that the local government believes is necessary to inform the director as to the effect of the proposal. The notice shall include the date set for the first evidentiary hearing. The director shall notify persons who have requested notice that the proposal is pending.

2. When a local government determines that the goals do not apply to a particular proposed amendment or new regulation, notice under subsection (1) of this section is not required. In addition, a local government may submit an amendment or new regulation with less than 45 days' notice if the local government determines that there are emergency circumstances requiring expedited review. In both cases:
 - a. The amendment or new regulation shall be submitted after adoption as provided in ORS 197.615 (1) and (2); and
 - b. Notwithstanding the requirements of ORS 197.830 (2), the director or any other person may appeal the decision to the board under ORS 197.830 to 197.845.
3. When the Department of Land Conservation and Development participates in local government proceeding, at least 15 days before the final hearing on the proposed amendment to the comprehensive plan or land use regulation or the new land use regulation, the department shall notify the local government of:
 - a. Any concerns the department has concerning the proposal; and
 - b. Advisory recommendations on actions the department considers necessary to address the concerns, including, but not limited to, suggested corrections to achieve compliance with the goals.
 - c. The director shall report to the Land Conservation and Development Commission on whether the director:
 - i. Believes the local government's proposal violates the goals; and
 - ii. Is participating in the local government proceeding. [1981 c.748 §4; 1983 c.827 §7; 1985 c.565 §27; 1989 c.761 §20; 1999 c.622 §1]

Response:

Notice of the proposed map amendments was sent to the Department of Land Conservation and Development (DLCD) at least 45 days before the first evidentiary hearing on the proposal. Notice was sent to DLCD on December 31, 2015, which was more than 45 days before the first advisory hearing before the Jefferson County and City of Madras Planning Commissions on February 11, 2010. A notice addendum was submitted to DLCD on January 14, 2010. Further hearing dates have yet to be determined.

197.626 Expanding urban growth boundary or designating urban or rural reserves subject to periodic review.

A metropolitan service district that amends its urban growth boundary to include more than 100 acres, or that amends the district's regional framework plan or land use regulations implementing the plan to establish urban reserves designated under ORS 195.145 (1)(b), a city with a population of 2,500 or more within its urban growth boundary that amends the urban growth boundary to include more than 50 acres or that designates urban reserve under ORS 195.145, or a county that amends the county's comprehensive plan or land use

ATTACHMENT A

regulations implementing the plan to establish rural reserves designated under ORS 195.141, shall submit the amendment or designation to the Land Conservation and Development Commission in the manner provided for periodic review under ORS 197.628 to 197.650. [1999 c.622 §14; 2001 c.672 §10; 2003 c.793 §4; 2007 c.723 §7]

Response:

The City of Madras is exempt from this requirement because there proposed UGB boundary adjustment results in an amendment of less than 50 acres.

Conclusion:

The proposed map and text amendments comply with applicable State requirements for urban reserve area planning, plan amendments, and UGB amendments pursuant to ORS 197.

EXHIBITS

- A. 750 ft. Notice to affected property owners



125 SW "E" Street, Madras, OR, 97741
541-475-2344

ADJACENT PROPERTY OWNER & PUBLIC HEARING NOTIFICATION

DATE: February 22, 2015

CITY FILE: PA-14-3

COUNTY FILE: 14-PA-04

**APPLICANT/
PROPERTY OWNER:** Jefferson County School District 509J
445 SE Buff Street
Madras, OR 97741

MAP & TAXLOT: 11-14-6-1000

ZONING: Open Space/Public Facility (City Zoning), Exclusive Farm Use (County Zoning),
Range Land (County Zoning).

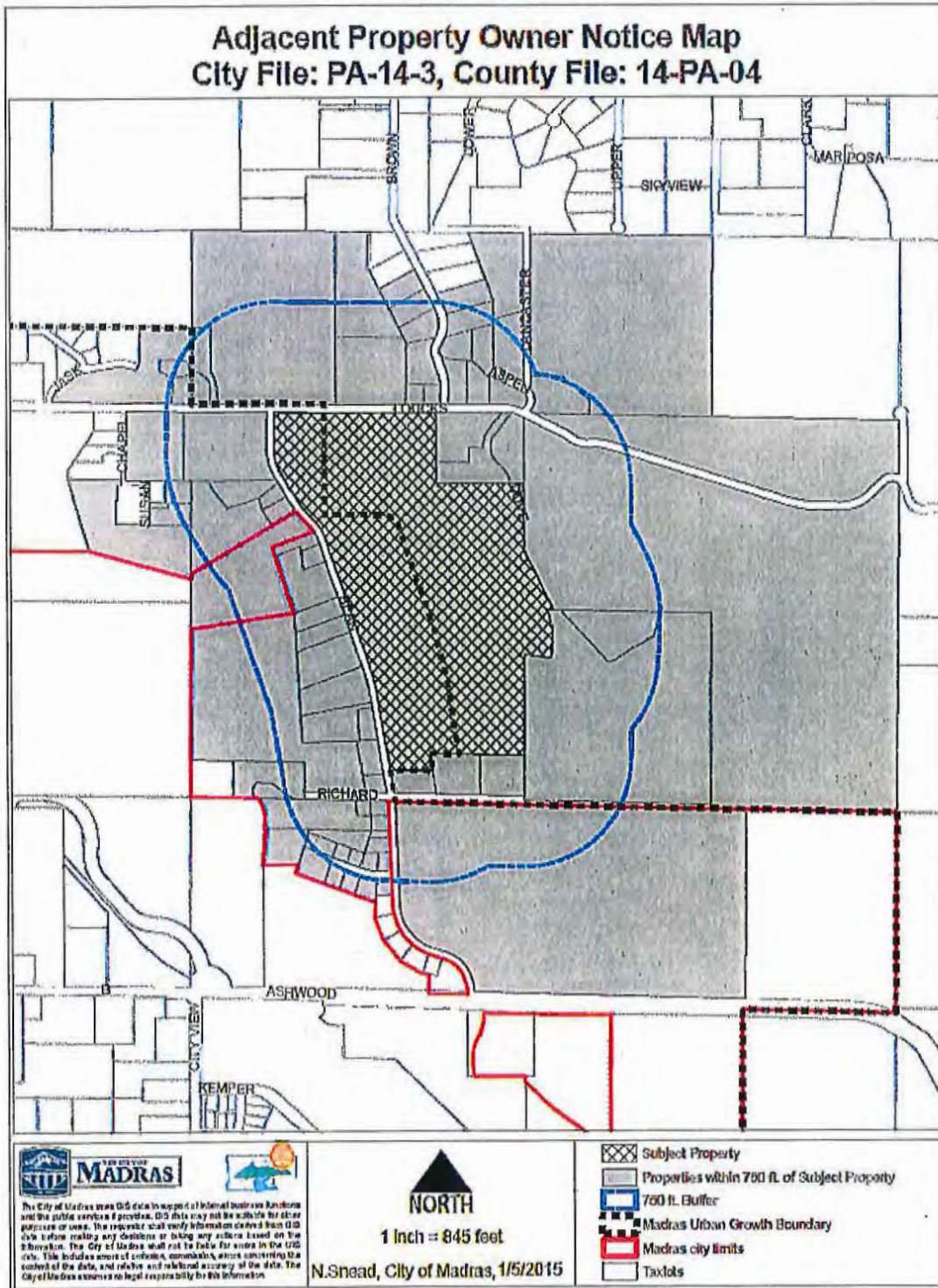
REQUEST: To amend the City of Madras Urban Growth Boundary (UGB) to add
approximately 9.96 acres to the UGB and change the County Range Land zoning
on the property to the City's Open Space/Public Facility zoning.

Adjacent Property Owner:

This letter is to inform you of a Comprehensive Plan amendment application that was submitted to the City of Madras Community Development Department by the Jefferson County School District 509J to amend the City of Madras Urban Growth Boundary (UGB) to add approximately 9.96 acres to the UGB and change the County Range Land zoning on the property to the City's Open Space/Public Facility zoning for Tax Lot 1000 located on Jefferson County Assessor's Map 11-14-6. As an adjacent property owner within 750 feet of the location of the propose land use action, you are entitled notice by the City of Madras and Jefferson County Zoning Ordinances. The approval criteria for this land use action are the following: 1) Oregon Statewide Planning Goals 1, 2, 3, 6, 7, 10, 11, 12, 14; ORS Chapter 197; 2) OAR 660-012; 3) OAR 660-014; 4) the City/County Urban Growth Area Management Agreement; 5) City of Madras Comprehensive Plan Goals 1, 2, 3, 5, 7, 8, 11, 12, 14; 6) Jefferson County Comprehensive Plan Goal 14. On March 24, 2015 the Madras City Council will conduct a public hearing for the proposal at 7:00 pm in the Council Chambers in the Madras Police Station/City Hall located at 125 SW "E" Street in Madras. You may provide oral comments at the March 24, 2015 City Council public hearing or you may submit written comments prior to the March 24, 2015 City Council public hearing at City Hall. If you have any questions, you may also call the Community Development Department at 541-475-2344. The file for this matter is available for public review at City Hall located at 125 SW "E" Street.

Nicholas Snead
Community Development Director

A. 750 ft. Notice to affected property owners



B. Property Assessment Report

JEFFERSON County Assessor's Summary Report

Real Property Assessment Report

FOR ASSESSMENT YEAR 2014

January 13, 2015 7:21:45 pm

Account # 2527
 Map # 111406-00-01000
 Code - Tax # 0110-2527

Tax Status NONASSESSABLE
 Acct Status ACTIVE
 Subtype NORMAL

Legal Descr See Record

Mailing Name JEFFERSON COUNTY SCHOOL DIST 509J

Deed Reference # See Record

Agent

Sales Date/Price See Record

In Care Of

Appraiser JEAN MCCLOSKEY

Mailing Address 445 SE BUFF STREET
 MADRAS, OR 97741

Prop Class 920 MA SA NH Unit
 RMV Class 400 05 06 000 177-1

| | |
|------------------|------------|
| Situs Address(s) | Situs City |
|------------------|------------|

| Value Summary | | | | | |
|------------------------|----------|---------------|----------------|---------------|----------|
| Code Area | AV | RMV | MAV | RMV Exception | CPR % |
| 0110 Land | | 76,170 | | Land | 0 |
| Impr. | | 0 | | Impr. | 0 |
| Code Area Total | 0 | 76,170 | 116,630 | | 0 |
| Grand Total | 0 | 76,170 | 116,630 | | 0 |

| Land Breakdown | | | | | | | | | | | |
|--------------------|-----|-----|----|-----------|------------------|-----|----|--------------|------------|-----------|-------------|
| Code Area | ID# | RFD | Ex | Plan Zone | Value Source | TD% | LS | Size | Land Class | Irr Class | Irr Size |
| 0110 | 1 | R | 1 | OS | Residential Site | 105 | A | 69.25 | | | |
| Grand Total | | | | | | | | 69.25 | | | 0.00 |

| Improvement Breakdown | | | | | | | | | | |
|-----------------------|-----|----------|------------|-------------|-----|---------------|-----|-----------|-------------|----------|
| Code Area | ID# | Yr Built | Stat Class | Description | TD% | Total Sq. Ft. | Ex% | MS Acct # | Trended RMV | |
| Grand Total | | | | | | | | | | 0 |

BEFORE THE BOARD OF COMMISSIONERS OF THE STATE OF OREGON FOR
THE COUNTY OF JEFFERSON

IN THE MATTER OF AN AMENDMENT TO THE)
JEFFERSON COUNTY COMPREHENSIVE PLAN)
MAP AND ZONING MAP TO ADJUST THE CITY OF)
MADRAS URBAN GROWTH BOUNDARY AND RE-) ORDINANCE
ZONE CERTAIN PROPERTY) NO. 0-057-15
(11S-14E-06-1000) (14-PA-04))

WHEREAS, the Jefferson County School District 509-J (hereinafter "District") owns approximately 69.25 acres (hereinafter "subject property") on the east side of Madras at the intersection of NE Loucks Road and NE Bean Drive; and

WHEREAS, the District submitted an application to add to and adjust the Madras Urban Growth Boundary (UGB), amend the Comprehensive Plan and Zoning designations, and partition the subject property into three (3) parcels; and

WHEREAS, the Jefferson County Planning Commission held a public hearing on March 18, 2015 during which time the Planning Commission received oral and written testimony from the public and recommended approval of the application by the Board of County Commissioners; and

WHEREAS, the Jefferson County Board of Commissioners held a public hearing on April 1, 2015 during which time the Board accepted testimony on the application, after which it closed the record and deliberated on the application; and

WHEREAS, after considering the Planning Commission recommendation and testimony, the Board voted unanimously to AFFIRM the Planning Commission recommendation as to the UGB and zone change.

NOW THEREFORE, the Jefferson County Board of Commissioners hereby ORDAINS as follows:

1. Adoption of Comprehensive Plan and Zoning Map Amendments. The Comprehensive Plan Map is amended to change the Plan Designation of Property described as Assessor's Map 11S-14E-06, tax lot 1000 to coincide with the revised UGB line and the zoning to reflect the EFU zoning for all portions of the subject property outside the adjusted UGB line as indicated in the map attached hereto as Exhibit A.

2. Adoption of Findings. The Comprehensive Plan Map and Zoning Map Amendments are in conformance with applicable statewide planning goals, administrative rules, Comprehensive Plan and Zoning Ordinance, as set forth in the findings of fact and conclusions in the Staff Report attached hereto as Exhibit B.

3. Severability. The provisions of this ordinance are severable. If any section, subsection, sentence, clause or phrase of this ordinance or any exhibit thereto is, for any reason, held to be invalid or unconstitutional, such decision shall not affect the validity of the remaining portions of this ordinance or exhibits thereto.

4. Corrections. This Ordinance may be corrected by and order of the Board of County Commissioners to cure editorial and/or clerical errors.

5. Effective Date. These amendments being necessary for immediate implementation, an emergency is declared to exist, and the specified amendments shall therefore take place and be effective on 4-22-15.

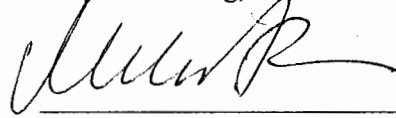
Date of First Reading: 4-22-2015

Date of Second Reading: _____

Dated this 22 day of April, 2015.

JEFFERSON COUNTY
BOARD OF COMMISSIONERS

Absent
Wayne Fording, Commission Chair


Mike Ahern, Commissioner

Mae Huston
Mae Huston, Commissioner

Attest:

Barbara Andresen

Appeal Information

Planning Casefile #14-PA-04

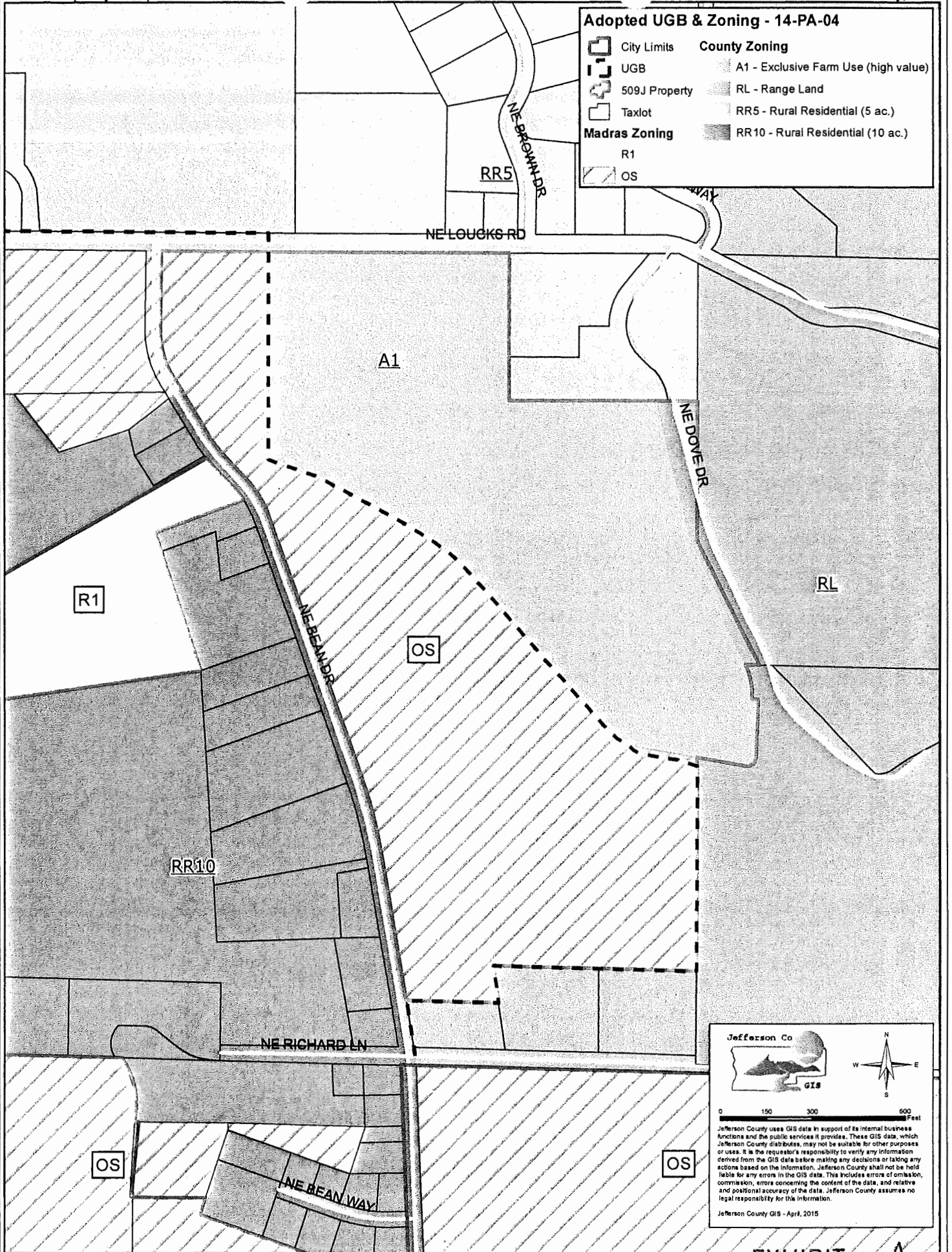
This decision may be appealed to the Land Use Board of Appeals within 21 days of the Jefferson County Board of Commissioners Decision. Oregon Revised Statute (ORS) 197.830 sets forth the review procedures. Copies of the Board of Commissioners decision and the state statute are available from the Community Development Department located at 85 SE "D" Street, Madras, Oregon 97741.

Board of Commissioners adoption date: April 22, 2015

The complete file is available for review at the Jefferson County Community Development Department. For further information, contact the Community Development Department. Phone (541) 475-4462.

Adopted UGB & Zoning - 14-PA-04

| | | |
|----------------------|---------------|--------------------------------------|
| | City Limits | County Zoning |
| | UGB | A1 - Exclusive Farm Use (high value) |
| | 509J Property | RL - Range Land |
| | Taxlot | RR5 - Rural Residential (5 ac.) |
| Madras Zoning | | RR10 - Rural Residential (10 ac.) |
| | R1 | |
| | OS | |



Jefferson Co GIS

0 150 300 600 Feet

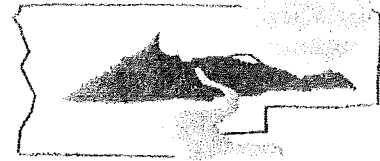
Jefferson County uses GIS data in support of its internal business functions and the public services it provides. These GIS data, which Jefferson County distributes, may not be suitable for other purposes or uses. It is the requestor's responsibility to verify any information derived from the GIS data before making any decisions or taking any actions based on the information. Jefferson County shall not be held liable for any errors in the GIS data. This includes errors of omission, commission, errors concerning the content of the data, and relative and positional accuracy of the data. Jefferson County assumes no legal responsibility for this information.

Jefferson County GIS - April, 2015

JEFFERSON COUNTY

Community Development Department

85 S.E. "D" St. • Madras, Oregon 97741 • Ph: (541) 475-4462 • FAX: (541) 475-4270



STAFF REPORT TO PLANNING COMMISSION

HEARING DATE: March 18, 2015

APPLICATION NO.: 14-PA-04 County File; (PA-14-3 city file)

APPLICANT: Jefferson County School District

NOTICE TO DLCD: February 12, 2015 (by city of Madras)

NEWSPAPER NOTICE: February 16, 2015 (by city of Madras)

LEGAL DESCRIPTION: 11S 14E 06 – tax lot 1000

PROPOSAL: Jefferson County School District is proposing to add to and adjust the Madras Urban Growth Boundary (UGB), amend the Comprehensive Plan and Zoning designations, and partition the subject property into three (3) parcels. Refer to Proposal Summary & Purpose below.

PROPOSAL SUMMARY & PURPOSE:

Jefferson County School District owns approximately 69.25 acres on the east side of Madras at the intersection of NE Loucks Road and NE Bean Drive (refer to Exhibit A). The proposal is to correct an obvious problem created by the location of the UGB in relation to the city limits and the zoning. The UGB line appears to be drawn randomly and without regard for man-made (canals) or natural (irrigated farm land) features.

The proposal is to draw the UGB line to closely match up with the canal and the farm land features, to adjust the zoning, and to partition the parcel to allow future uses (refer to Exhibit A).

The proposal also involves annexation of a portion (30.81 acres) of the site, although that action does not involve the County Planning Commission.

PROPOSAL in APPLICATION FORM:

The proposed amendment is described in graphic and text form and is attached as Exhibit A

AGENCY COMMENTS:

The City of Madras Community Development Department has provided a staff report to support all the components of the proposal – attached as Exhibit B.

PUBLIC COMMENTS:

The Planning Department has not received any written comments from the public as of March 10, 2015.

FINDINGS OF FACT AND CONCLUSIONS OF LAW:***Section 803.2 – Map (Zoning) Amendments***

- A. An amendment to the Zoning Map may be approved if it complies with the approval criteria in this Section. The burden of proof is on the applicant to submit sufficient information to demonstrate that the application complies with the approval criteria. . . The zoning designation will conform to the Comprehensive Plan Map designation.*

FINDING:

The Comprehensive Plan map designation will be amended with this action to coincide with the revised UGB line. The zoning will be consistent with the Plan map designation of OS inside and EFU outside the adjusted UGB line.

B – I criteria

FINDING:

Findings for criteria B through I are found in the applicant's burden of proof. There are no significant impacts on adjacent or nearby property as a result of the proposed re-zoning. The proposal complies with the criteria above.

Comprehensive Plan Amendments

CITY OF MADRAS
COMMUNITY DEVELOPMENT DEPARTMENT

Comprehensive Plan &
Map Amendment

| | |
|-----------------|-------|
| OFFICE USE ONLY | |
| FILE # | _____ |
| FEE \$ | _____ |
| RECEIPT # | _____ |
| DATE RECEIVED | _____ |

Legal Description of the Subject Property (if applicable):

| | | | |
|------------|------------|----------|-------------|
| Township | Range | Section | Tax Lot |
| <u>11S</u> | <u>14E</u> | <u>6</u> | <u>1000</u> |

Street address of the property (if applicable): _____

"I have examined all statements and information contained herein, and all attached exhibits, and to the best of my knowledge and belief, they are true and correct. I authorize the City of Madras staff, Hearing's Officers and Planning Commissioners to enter property for inspection of the site in conjunction with this land use application."

APPLICANT:

Printed Name: Jefferson County School District 509-J

Signature: _____ Date: _____

Address: 445 SE Bluff Street, Madras OR 97741

Phone: 541-475-6192 Fax or email: 541-475-6856

PROPERTY OWNER (if different from Applicant)

Printed Name: _____

Signature: _____ Date: _____

Address: _____

Phone: _____ Fax or Email Address: _____

- Existing use of site: Agriculture/Open Space-Range land
- Existing zoning of the subject property: Open Space/EFU/Range Land
- Proposed zoning designation of the subject property: Open Space/EFU

4. Zoning designation of surrounding properties:

North: EFU
South: Range Land
West: RR 10
East: Range Land

5. Does the proposal conform to the applicable state statutes? Yes No

If yes, please explain See Application, Section C

If no, please describe why the proposal does not or will not conform to the State Statutes.

6. Does the proposal conform to the Statewide Planning Goals? Yes No

If yes, please list the applicable Statewide Planning Goals and how the proposal conforms to the goals. Goal 3-Agriculture; Goal 14-Urbanization. These goals would be better met by redrawing the Madras UGB along the dividing line that separates higher value resource land from lower value non-irrigated range land/open space. See Application Section C and D.

If no, please describe why the proposal does not or will not conform to the Statewide Planning Goals.

7. Does the proposal conform to the City of Madras Comprehensive Plan, land use ordinance and policies? Yes No

If yes, please explain how the proposal conforms to the City of Madras Comprehensive Plan, land use ordinance and policies See Application, Section D.

If no, please explain why the proposal does not conform to the City of Madras Comprehensive Plan, land use ordinance and Policies.

8. What is the change of circumstances or studies justifying the amendment or mistake in the original zoning? See Application, Section C.

Return Application To: City of Madras
Community Development Department
125 SW 'E' Street
Madras, Oregon 97741
Phone: 541-475-3388
Fax: 541-475-3959

1. *Comply with applicable Statewide Planning Goals, Oregon Revised Statutes and Administrative Rules . . .*
2. *Comply with all applicable Comprehensive Plan goals and policies; and*
3. *Be necessary due to changes in physical, economic, or social conditions, population growth, or development patterns which require an adjustment in the land use designations in the area where the amendment is proposed.*

FINDING:

Findings for the above criteria are found in the applicant's burden of proof. The proposal complies with the criteria above.

Urban Growth Area Management Agreement (UGAMA)

The UGAMA contains responsibilities for each jurisdiction (the City and County) for amendments to the UGB and other land use actions. Section 6 in particular contains the "Process for Urban Growth Boundary Amendments".

FINDING:

The City complied with Section 6 of the UGAMA by submitting the application to the County, and for setting up the joint City County Planning Commission public hearing on March 18, 2015. The applicant's burden of proof demonstrates compliance with the UGAMA.

CONCLUSION

Based on the proposal and the findings stated above, the proposal meets all the relevant criteria for the proposed amendments.

RECOMMENDATION

Planning Staff recommends that the Planning Commission recommend approval of the proposed amendment file 14-PA-04 to the County Board of Commissioners. The Board of Commissioners will then hear the proposed request and make a decision. The County Board of Commissioners hearing date is April 1, 2015.

Respectfully submitted,

Bill Adams
Planning Director

Exhibit A – Application for amendments from Jefferson County School District.

Exhibit B – Staff Report and Findings from City of Madras Community Development Director.



Jefferson County School District 509-J

Findings for

City of Madras & Jefferson County

Urban Growth Boundary Change and Zone Change

March 9, 2015

Prepared by

City of Madras Community Development Department

&

Daniel Heffernan Company

Portland, OR

A. Maps

Figure 1 – Jefferson County Assessor’s Map: 11-14-6

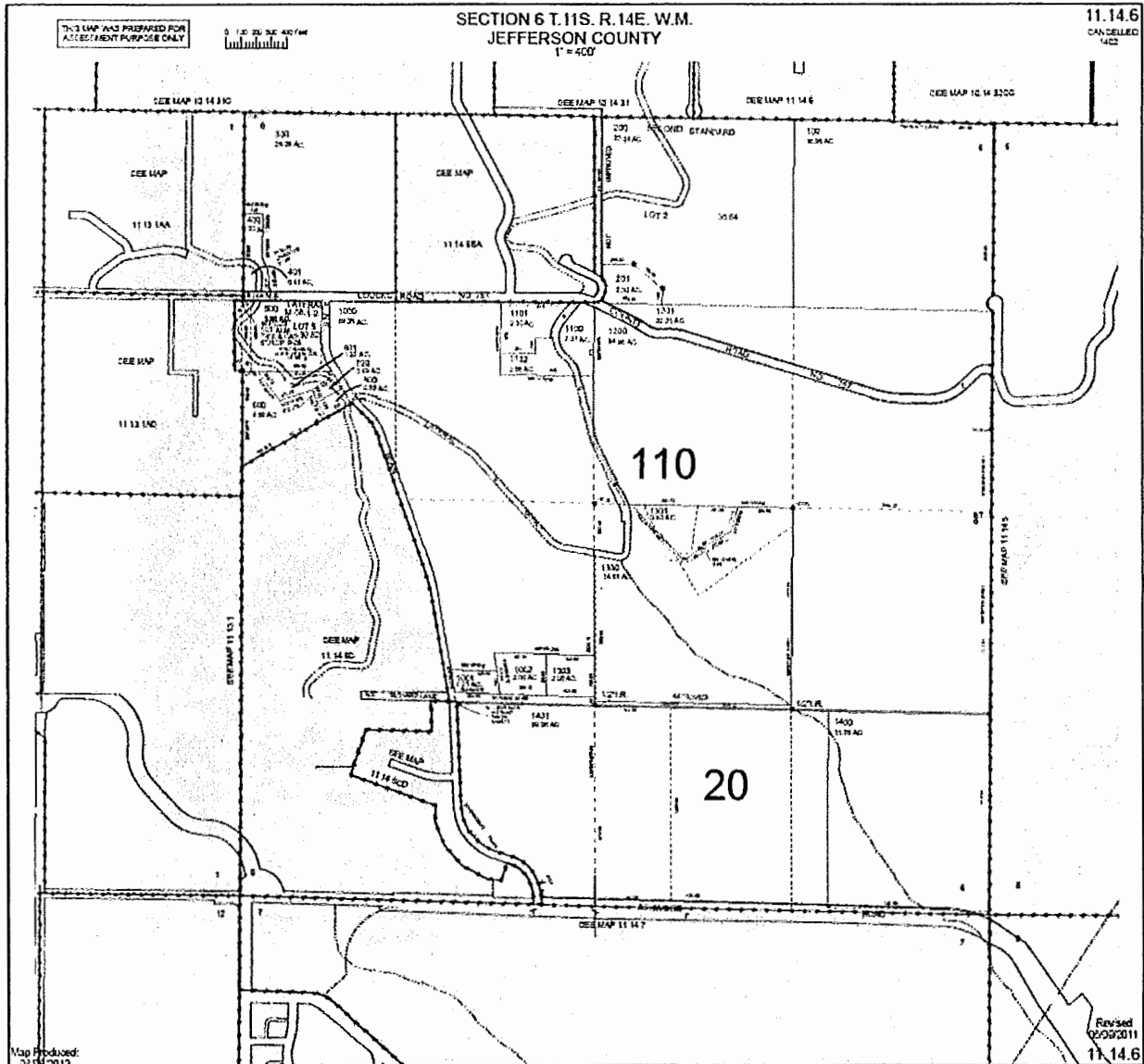
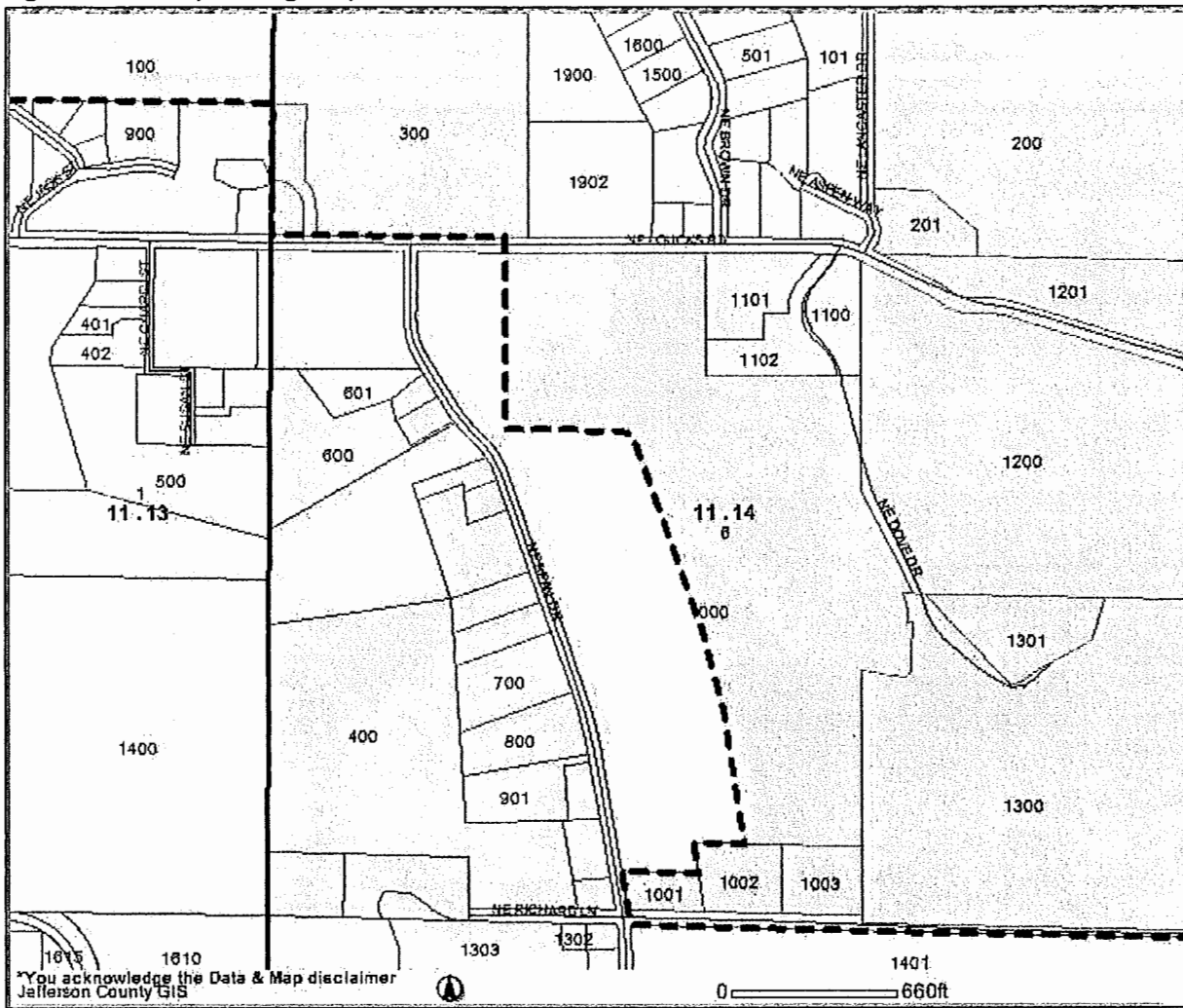


Figure 3. County Zoning Map



B. JUSTIFICATION FOR PROPOSED LAND USE ACTIONS

1. Urban Growth Boundary Amendment, Zone Change, Annexation, and Land Partition

Jefferson County School District 509-J (District) owns property on the east side of Madras at the intersection of NE Loucks Road and NE Bean Drive. The Jefferson County Assessor's Tax Lot number for this property is 11S 14E 06 1000 (Figures 1 & 2 above). The property comprises 69.25 acres bisected by a North Unit Irrigation District (NUID) irrigation lateral, which generally traverses through the property east and west. The lateral conveys water to the northern irrigated portion of the property. The southern part of the property is dry and is not farmed.

The property also is also bisected north and south by a political boundary - the Madras Urban Growth Boundary (UGB). The eastern side of the property, which lies outside the UGB, is zoned Exclusive Farm Use (EFU) where irrigated, and Range Land (RL) for the land south of the NUID lateral. The land within the UGB boundary is zoned Open Space/Public Facility (OS/PF) per the Madras Comprehensive Land Use Plan.

The manner that the UGB bisects the property north and south is problematic for a number of reasons. First and foremost, it results in a significant amount of high-value irrigated farmland being included in the UGB while excluding from the UGB a slightly larger but less valuable amount of rangeland. The developable footprint of the irrigated land north of the NUID lateral and the dry land south of the lateral are about the same size. While the non-irrigated land has somewhat steeper slopes there is enough land flat land south of the lateral to accommodate a school site or park or other public facility. The parcels north and south of the irrigation lateral have similar access to streets, water, sanitary sewers, and other utility services. From an urbanization standpoint, there is no reason to have favored including the "high-value" irrigated portion of the property in the UGB and exclude the "less valuable" dry land portion of the property that lies south of the lateral.

Secondly, as a potential public facility site, the dry land acreage is more favorably located away from Loucks Road and Bean Drive intersection and closer to planned urban residential uses south of Richard Street and west of Bean Drive. The UGB, as drawn, serves neither to protect the property's important high-value farmland nor to meet the need for public facilities and urban open space near planned residential uses.

It is not clear why the boundary was drawn through the District's property in this way; the line seems to have been drawn somewhat randomly. Perhaps there was an interest in creating development opportunities on the east side of Bean Drive south of Loucks Road. Regardless, the 4.54 acres of irrigated farm land that is included in the UGB does not protect the property's most valuable resource land per Statewide Planning Goal 3 – Agriculture. That portion of the property that is currently being farmed has greater resource value than the 11.52 acres of rangeland south of the NUID lateral that was excluded from the UGB.

The proposed solution will ultimately annex 37.5 acres of the 69.25 acre property as shown in Figure 4 above. Parcel 1 is proposed to be kept outside of the Madras UGB and retain its current County Exclusive Farm Use (EFU) zoning. The southern parcel boundary of Parcel 1 is

Jefferson County School District 509-J would retain title to Parcels 1 & 2 and convey Parcel 3 to Jefferson County for future cemetery (public use) property. The District has no immediate plans to develop the southern dry land site; it intends to hold the property as a possible school site. The District may sell or continue to lease the Parcel 1, which would remain in agricultural use and zoned entirely as EFU. Approval will result in better protection for the higher value agricultural resource land and a small increase in the amount of UGB acreage designated for OS/PF, but no increase in developable land for other urban uses (i.e. housing, employment, etc.). While the size of Madras' UGB would increase marginally, the action would not increase the amount of developable land. This action is being taken strictly to protect high-value farmland and to consolidate the District's land holdings in a more rational configuration with respect to the UGB.

The proposed adjustment to the UGB would result in a approximately a 5% increase to the OS/PF zoned land inside the UGB. This change does not significantly alter the ratio of OS/PF to the city's inventory of buildable land in the UGB. In 2007, that ratio was 24%. The addition of 10.76 acres would increase the ratio to 25%, which fits the allowance in OAR 660-10-000 for public facility/open space use.

Table 2 – Change in Public Facility/Open Space Acreage

| 2007 OS/PF Allowance (in acres) | Proposed Increase (acres) | Percentage Change | Change in Ratio (905.16 acre basis) |
|---------------------------------|---------------------------|-------------------|-------------------------------------|
| 217.24 | 10.76 | 4.9% | 1.1% |

Source: City of Madras Urbanization Report, 2007

2. Madras Annexation Requirements

The School District has also requested that Parcels 2 and 3 (Figure 4) be annexed into the City of Madras. The School District has requested annexation so that in the future that they may use the land for urban uses. Based on the proposed zoning, the land would be used for public facility uses. Alternatively, these parcels may be conveyed by title but would be required to be used in a manner that is consistent with the City's OS/PF zoning regulations (i.e. public use) without having to go through a second legislative land use amendment process.

It is important to note that the annexation public hearings before the Madras Planning Commission and City Council will commence contemporaneously with this UGB boundary adjustment and zone change request. Similarly, upon approval of the requested UGB boundary adjustment and zone change, and annexation, the property owner will file for a land partition request with the City of Madras to partition the subject property as shown in Figure 4.

Madras Zoning Code Article 7 requires that petitions for annexation must address the following issues.

- A. Existing land uses – these are described in the Annexation form (see *Section A.3*). In summary, the property that would be annexed is undeveloped open space.
- B. Existing Zoning – Existing zoning also is described in the Annexation form. In summary, 30.5 of the land to be annexed is zoned OS/PF under the Madras

demand is expected as a result of annexation. Specific power requirements will be address when a development is proposed.

- viii. Schools – Jefferson School District 509-J owns the property. There is no change in demand related to school services from the annexation. The site may be suitable as a school site in the future. The District has no plans for developing the site at this time.
 - ix. Parks - The property is undeveloped and is tax exempt. The annexation will have no effect on County Parks. The property will be served by the City of Madras after annexation and may provide a suitable location for a city park.
- E. Proposed Zoning – The proposed zoning for the land to be annexed is Open Space/Public Facility. This zoning is consistent with the current planned use for most of the property. The reconfiguration of the UGB would increase the inventory of OS/PF zoned land by 10.76 acres and reduce the amount of Range Land (RL) in the county by a similar amount. While the size of the property zoned OS/PF in this location would be slightly larger than at present, the increase is insignificant with regard to the scale or type of use that could be developed on the property.

technical assistance is available from the City Manager's office. As Madras is the County Seat of Jefferson County, both the County Planner and the County Extension Agent have indicated a willingness to assist in the planning process and to provide assistance to interested citizens.

Response/Finding:

The City of Madras and Jefferson County have provided the required property owner notices and public hearing notices in accordance with the City and County Zoning regulations.

UBG Boundary and Zone Change Notices

Specifically, on January 5, 2015 the City of Madras mailed notice to all properties within 750 feet of the subject property of the January 22, 2015 public hearing for the proposed UBG boundary and zone change. The January 22, 2015 hearing was canceled. Accordingly, the public hearing was rescheduled for March 18, 2015. City mailed a second notice to all property owners within 750 feet of the subject property of the March 18, 2015 public hearing on February 6, 2015. Additionally, the City requested the Madras Pioneer to publish a public hearing notice in the February 25, 2015 Madras Pioneer newspaper.

The City also sent notice to all property owners within 750 feet of the subject property of the public hearing before the Madras City Council on March 24, 2015. Similarly, the City requested the Madras Pioneer publish a public hearing notice for the March 24, 2015 public hearing before the City Council in the February 25, 2015 Madras Pioneer Newspaper.

The City also sent notice to all property owners within 750 feet of the subject property of the public hearing before the Jefferson County Board of Commissioners on April 1, 2015. Similarly, the City requested the Madras Pioneer publish a public hearing notice for the April 1, 2015 public hearing before the Jefferson County Board of Commissioners in the March 12, 2015 Madras Pioneer Newspaper.

Annexation Notices

The City mailed notice to the properties proposed to be annexed and all properties within 250 feet of the subject property of the January 16 public hearing before the Madras Planning Commission for the proposed annexation. Similarly, the City mailed notice to the properties proposed to be annexed and all properties within 250 feet of the subject property of the January 16, 2015 public hearing before the Madras City Council for the proposed annexation.

GOAL 2 - To establish a land use planning process and policy framework as a basis for all decisions and actions related to the use of the land and to insure an adequate factual base for such decisions and actions.

POLICIES - A. The City shall insure that the Comprehensive Plan serves as a basis for

the high-value farmland outside the UGB and will bring in with lower value non-irrigated rangeland into the Madras UGB. The proposed action is in conformance with city and county land use policies.

GOAL 5 - To conserve open space and protect natural resources.

- POLICIES -
- A. The City shall preserve the scenic vistas afforded by the Cascade Mountain Range.
 - B. The City will limit conflicting uses of identified historic structures and establish a Zoning Ordinance procedure to review applications for proposed changes.

Response/Finding:

The site's present open space characteristics will not be affected until the land is developed. The property is not listed in the Madras or Jefferson County list of significant Goal 5 resources. The site is undeveloped and city and county records do not indicate development as ever occurred on the site. The site is not of significant historic or cultural value.

GOAL 7 - To protect life and property from natural disasters and hazards.

The purpose of Goal 7 is to reduce risk to people and property from natural hazards. In an effort to reduce risk, Goal 7 requires local governments to adopt natural hazard inventories, policies, and implementation measures into the comprehensive plan. Careful land-use planning can better prepare cities to deal with the damage that natural hazards can cause.

The Natural Hazards Chapter has two sections. The first part of the chapter is the inventory, which provides a definition of each hazard, a summary of risk, and additional information relevant to Madras for all eight of the natural hazards that Madras faces. The eight natural hazards are flood, winter storm, windstorm, earthquake, volcanic event, drought, wildfire, and landslide. The second part of the chapter lists several overarching, multi-hazard goals, followed by the goals, policies and implementation measures for each of the eight natural hazards. The goals, policies, and implementation measures identify opportunities to reduce the impacts of natural hazards on Madras.

Response/Finding:

The District's property is not shown to lie within any mapped hazard areas. The property is not subject to hazard mitigation regulations. Prior to development, the applicant is required to submit a development plan that addresses potential site hazards and to avoid or mitigate hazards.

Response/Finding:

The proposed land use change increases the amount of Open Space/Public Facility land in the UGB by 10.76 acres. The property owner intends to convey Parcel 3 (6.69 acres) to Jefferson County for future cemetery property. Jefferson County may realign Bean Drive to allow for enhanced utilization of their property for the cemetery. In such case, Bean Drive will be realigned to the east side of Parcel 3 in which case access to the properties on the east side of Bean Drive near the cemetery may change.

The uses allowed by City's OS/PF zone were already anticipated in the Madras Transportation System Plan in this part of the UGB. Use of the land is not altered by the change and the scale of the change is insignificant from a traffic generation standpoint. The proposed change in the UGB and EFU zoning for the land that would be removed from the UGB would not affect access to irrigated farmland from county transportation facilities. The change in the UGB would not affect the location or operation of the NUID lateral. The Madras development code requires that when development occurs on the land inside the UGB (Parcels 2 & 3), the applicant must mitigate significant traffic impacts beyond what is planned for in the TSP. A transportation analysis for access and traffic management will be prepared when development occurs. The proposal is consistent with City transportation plans.

GOAL 14 - To provide for an orderly and efficient transition from rural to urban land, and to provide for livable communities.

- POLICIES -**
- A. The City, in cooperation with Jefferson County, shall establish an Urban Growth Boundary.
 - B. The City, in cooperation with Jefferson County, shall mutually agree to a management plan for the Urban Growth Boundary area.
 - C. The City, in cooperation with Jefferson County, shall establish an Urban Growth Boundary revision process to be utilized in a proposed change of the Urban Growth Boundary.
 - D. The City shall encourage the development of complete, livable communities that include characteristics such as: a variety of lot sizes, dwelling unit types and ownership types, open spaces and other recreational amenities, a mix of land uses, school and community facilities, connected streets, proximity to downtown and other employment centers, and development that is scaled to the pedestrian and creates a sense of place. New growth areas should be developed in accordance with the Master Planned Community Overlay zone, which requires generous open space and amenities, and encourages efficient use of land and public facilities and services, a variety of housing types, innovative designs and complete pedestrian-friendly communities. Physical barriers, such as highways, tend to disrupt complete

4. Maximum efficiency of land uses within and on the fringe of the existing urban area.

Response/Finding:

Factors 1 – 4 are not relevant to the decision because they deal with developable land supply and serviceability issues. This decision only deals with the configuration of the UGB and the characteristics of land included in the boundary.

5. Environmental, energy, economic, and social consequences.

Response/Finding:

The proposed action is not significant in terms of E,E,S,E factors. While the change would increase the amount of OS/PF land in the boundary, Table 2 of the application demonstrates that the change is insignificant. Moreover, the property is not considered a significant Goal 5 Resource in either the Madras or Jefferson County land use plans. As such, an EESE analysis is not necessary.

6. Retention of agricultural land as defined, with Class I being the highest priority for retention and Class VI the lowest priority.

Response/Finding:

The proposed action would remove high priority irrigated farmland from the UGB and rezone that land from OS/PF to Exclusive Farm Use on the County's Zoning Map. It would replace the excluded high-value farmland with lower-value rangeland that is not irrigated. That land has Class VII soils. The map change would bring the city land use plan into conformance with this policy for the subject property.

7. Compatibility of the proposed urban uses with nearby agricultural activities.

Response/Finding:

The proposed change would place the NUID Irrigation lateral, which is an essential agricultural infrastructure asset, entirely outside the Madras UGB. This would reduce potential operating conflicts between the irrigation lateral and development inside the UGB. The southern land parcel that is proposed to be included in the UGB would be zoned OS/PF. This zone does not permit housing. The zoning helps to buffer adjacent agricultural uses from urban uses.

- E. The City of Madras Planning Commission recommendations and findings shall be forwarded to the Jefferson County Planning Commission for review and consideration. The Jefferson County Planning Commission may adopt, reject, or modify the recommendation, or may conduct a second public hearing (procedural requirements of which will be in conformance with the adopted hearing process of Jefferson County) to consider the proposed amendment.
- F. The two Planning Commission recommendations and findings shall then be transmitted to the Madras City Council for review and consideration. The City Council may adopt, reject,

- B. The City shall have responsibility for annexation of land in the UGB. Lands outside the UGA shall not be annexed unless the UGB is also amended to include the territory to be annexed.

Response/Finding:

The applicant has initiated a process to amend the UGB concurrent with its application for annexation of that part of the property now outside the UGB. The City and County reached a decision that the property subject to the petition for annexation is in the UGB.

5. PROCESS FOR URBAN GROWTH BOUNDARY AMENDMENTS

- A. Amendments to the UGB, including amendments to the City's and County's comprehensive plan maps, may be initiated by the City, the County, or a property owner(s).
- B. An application to amend the UGB shall be filed with the City Community Development Department along with the applicable City and County plan amendment fees. The City shall forward a copy of the application to the County Community Development Department, together with the County's plan amendment fee, within five working days of the date the application is filed.

Response/Finding:

The property owner, Jefferson School District 509-J, initiated the process to amend the UGB with the City of Madras. The City of Madras provided a copy of the application and materials to the Jefferson County Community Development Department.

- C. The City and County Planning Commission shall each conduct a public hearing regarding the application. At their discretion, the Planning Commissions may hold a joint hearing rather than separate hearings.

Response/Finding:

The Madras Planning Commission and Jefferson County Planning Commission held a joint public hearing on the request to amend the UGB on March 18, 2015.

- D. The recommendation of the City and County Planning Commissions shall be forwarded to City Council, who shall hold a public hearing to consider the proposed amendment to the UGB. The decision of the City Council shall be forwarded to the County Board of Commissioners.

Response/Finding:

The Planning Commissions' recommendation to approve the proposal was forwarded to the Madras City Council, which took up the question to amend the UGB in a public hearing on March 24, 2015. The Jefferson County Commission took up the question in a public hearing on April 1, 2015.

- E. The Board of Commissioners shall conduct a public hearing and make a final decision on whether the UGB should be amended.

Conformance with the Jefferson County Comprehensive Plan

GOAL 14 - Urbanization

POLICIES- 1. Changes to urban growth boundaries, the establishment of new urban growth boundaries or urban reserve areas, incorporation of a new city, or annexation of land into a city which is not in an established urban growth boundary requires an amendment to this Plan and the Zoning Map. The following factors should be used in considering such proposals:

- A. Demonstrated need to accommodate long-range urban population consistent with a 20- to 50-year population forecast coordinated with the cities;
- B. Demonstrated need for housing, employment opportunities, livability or uses such as public facilities, streets and roads, schools, parks or open space;
- C. Orderly and economic provision of public facilities and services;
- D. Maximum efficiency of land uses within and on the fringe of the existing urban area.

Response/Finding:

The proposed change to the UGB is consistent with County Comprehensive Plan policies to preserve and protect high-value irrigated farmland over other agricultural resource lands. A petition to amend the UGB was considered concurrently with a request to the City of Madras to Annex and partition the subject property. Policies A – C are not applicable because the UGB amendment request does not involve a question related to urbanizable land supply or orderly and economic provision of public services.

- E. Comparative environmental, energy, economic and social consequences;

Response/Finding:

The proposed action is not significant in terms of energy, economic and social consequences (E,E,S,E) factors. While the change would increase the amount of OS/PF land in the boundary, Table C.2 of the application demonstrates that the change is insignificant. Moreover, the property is not considered a significant Goal 5 Resource in either the Madras or Jefferson County land use plans. As such, an EESE analysis is not necessary.

- F. Compatibility of the proposed urban uses with nearby agricultural activities on land outside the UGB; and

Response/Finding:

The proposed action would remove high priority irrigated farmland from the UGB and retain the existing exclusive farm use designation for this portion of the subject property. The UGB boundary adjustment would replace the excluded high-value farmland with lower-value rangeland that is not irrigated. That land has Class VII soils. The map change would bring the city land use plan into conformance with this policy for the subject property.

Conformance with State Statutes

A. Oregon Revised Statutes

Chapter 197 – Comprehensive Land Use Planning Coordination

197.250 Compliance with goals required.

Except as otherwise provided in ORS 197.245, all comprehensive plans and land use regulations adopted by a local government to carry out those comprehensive plans and all plans, programs, rules or regulations affecting land use adopted by a state agency or special district shall be in compliance with the goals within one year after the date those goals are approved by the Land Conservation and Development Commission.

RESPONSE/ FINDING:

The Oregon Department of Land Conservation Department has acknowledged the City of Madras' Comprehensive Plan and Zoning Ordinance. Recent amendments to the Madras Comprehensive Plan and map were acknowledged by DLCD on May 5, 2010. Therefore, the City of Madras is compliant with ORS 197.250.

197.747 Meaning of "compliance with the goals" for certain purposes.

For the purposes of acknowledgment under ORS 197.251, board review under ORS 197.805 to 197.855, review of a proposed regional problem-solving agreement under ORS 197.652 to 197.658 or periodic review under ORS 197.628 to 197.650, "compliance with the goals" means the comprehensive plan and regulations, on the whole, conform with the purposes of the goals and any failure to meet individual goal requirements is technical or minor in nature.

RESPONSE:

The City of Madras does not challenge the interpretation of ORS 197.747. Additionally, the Oregon Department of Land Conservation and Development has acknowledged the City of Madras Comprehensive Plan and Zoning Ordinance (No. 723). By definition, the City of Madras Comprehensive Plan and Zoning Ordinance (No. 723) comply with ORS 197.747.

FINDING:

By definition, the City of Madras Comprehensive Plan and Zoning Ordinance (No. 723) comply with ORS 197.747.

197.752 Lands available for urban development.

1. Lands within urban growth boundaries shall be available for urban development concurrent with the provision of key urban facilities and services in accordance with locally adopted development standards.

RESPONSE:

The property proposed to be annexed into the Madras UGB is available for urban development. Key urban facilities (i.e. wastewater, domestic water, storm water and

UGB & Zone Change Conformance with Statewide Land Use Goals

GOAL 1 - *To develop a Citizen Involvement program that insures the opportunity for all citizens to be involved in all phases of the planning process.*

Response:

The proposed amendments have been reviewed during a series of public meetings and hearings in order to allow for consideration by public officials and public feedback.

1. The Jefferson County School District 509-J ("JCS" or "District") Board ("Board") was generally briefed by the Madras Community Development Director about the UGB amendment and annexation process.
2. A joint public hearing took place before the Madras and Jefferson County Planning Commissions on March 18, 2015. Notices of the hearings were published in the Madras Pioneer. Public notice also was posted at the Madras City Hall, Jefferson County Annex, US Postal Service Office, and the Jefferson County Library at 7 days prior to the March 18, 2015 Madras and Jefferson County Planning Commission meeting.
3. All property owners within 750 feet of the properties proposed to be included in the Madras UGB were notified of the proposed land use action. Adjacent property owners were notified that the file was available for review at the City of Madras and Jefferson County Community Development Departments and that copies of any information would be provided at a cost of .25/page. The agenda for the Planning Commission was posted at Madras City Hall, Jefferson County Annex, US Postal Service Office, and the Jefferson County Library 7 days prior to the March 18, 2015 joint Planning Commission meeting.
4. As discussed above the City proposes to reconfigure the UGB boundary affecting one property that totals 69.25 acres. The parcel will be divided into two parcels with the southern parcel included into the City of Madras Urban Growth Boundary. This action constitutes a potential "land use change" that would typically require notice to affected property owners. ORS 227.186 (Measure 56 notice) requires property owners to be notified of legislative acts relating to comprehensive plan, land use planning or zoning proposed by the City. Additionally, the proposed Comprehensive Plan amendment is limited the lone property shown in Figures 1-4. As such, a city-wide notice is not required; individual notice to properties within 750 feet of the proposed partition and UGB amendment is required.
 - i. The property owner has signed Consent to Annex agreement.
 - ii. 45-day notice to DLCD was sent to DLCD staff on December 31, 2015.
 - iii. The land within the parent parcel that is being swapped in/out of the UGB result in an exchange of land from the Madras Urban Reserve Area (URA); that land is first priority for inclusion in the Madras UGB.

1. The proposed urban zoning or land use program for the subject properties that address an identified urban land need;
2. An annexation program for all subject properties;
3. Evidence that public facilities required by OAR 660-011-000 that are necessary to serve the expansion area can be served either by system improvements outlined in adopted public facility master plans or by supplemental improvements that augment adopted public facility master plans;
4. Evidence that the proposed zoning or land use plan complies with requirements of OAR 660-0012-0060 either by demonstrating that planned improvements in the Madras Transportation System Plan (TSP) have capacity to meet transportation needs for the proposed expansion area or through supplemental transportation improvements that augment the adopted TSP to meet the need;
5. Evidence that providers of other crucial public facilities (e.g. schools, parks and recreation, emergency services and health care) are able to meet the projected demand for their services;
6. Evidence that financing for constructing needed public improvements is available so that the expansion area can be developed as planned within the planning horizon;
7. Evidence that development in areas subject to natural hazards are protected from these hazards;
8. Evidence that known or probable significant resources related to open space, scenic areas, historic places or structures, and fish and wildlife habitat will be protected from development impacts or have development impacts offset using appropriate mitigation measures.

Response:

These criteria have been addressed previously under the findings related to the Madras Comprehensive Plan, Goal 14. Those findings are incorporated here by reference.

Conclusion:

The proposed map and text amendments comply with State requirements for land use planning per Statewide Land Use Planning Goal 2.

GOAL 3 - *To preserve and maintain agricultural lands.***Response:**

The subject property is being partitioned such that irrigated farmland is consolidated into one tax lot and non-irrigated land is consolidated in another tax lot. The irrigated land, including 3 acres of land now inside the Madras UGB, is being excluded from the UGB. The non-irrigated land will be included in the UGB and annexed into the City of Madras. The resulting land swap adds 11.686 acres of rangeland to the urban growth boundary; this land is being zoned Open Space/Public Facility (OS/PF). The OS/PF zone does not allow housing or commercial/industrial employment uses. The land swap adds to Jefferson County's inventory of protected high-value farmland zoned EFU. The proposed swap replaces the irrigated farmland that is being removed from the UGB with non-

and annexation area. Open space designations will be made as part of development entitlement for the proposed UGB amendment and annexation.

Conclusion:

The proposed map amendment complies with State requirements for open space, scenic and historic areas, and natural resources per Statewide Land Use Planning Goal 5.

GOAL 6 - *To maintain and improve the quality of the air, water and land resources of the state.*

Response:

According to the U.S. Environmental Protection Agency (EPA) and the Oregon Department of Environmental Quality (ODEQ) there are no federally designated air quality management areas or federally designated hazardous waste sites in the Madras UGB. There are no Environmental Cleanup Sites listed on ODEQ's website within the subject property. Further, the OS/PF zoning proposed for the swap area brought in to the city will not result in any more noise, air, land, and water pollution than was anticipated on the land being removed.

Findings:

There are not federal- or state-registered environmental quality sites within the proposed UGB swap and annexation area. The amendment and annexation area is not expected to result in any additional air, water, or land resource quality impacts.

Conclusion:

The proposed map amendments comply with State requirements for air, water and land resources per Statewide Land Use Planning Goal 6.

GOAL 7 - *To protect people and property from natural hazards.*

Response:

Potential natural hazards in Madras include landslides on steep slopes, floodway and floodplain inundation, and wildfire. Statewide Land Use Planning Goal 7 is reinforced in Madras Comprehensive Plan policies (Goals 7 and 14) by insulating planned development from identified natural hazards. The plan policies require the following of proposed UGB amendments:

1. All land use applications or legislative proposals to expand the Madras UGB must be accompanied by information that documents the following:
2. Evidence that development in areas subject to natural hazards are protected from these hazards;

There are no steep slopes (slopes greater than 25%), floodway, or floodplain land in the proposed annexation area. Fire protection service for the proposal area is currently

According to terms of the UGAMA between Jefferson County and the City of Madras, the City will be the primary service provider for land within its UGB, in particular coordinating police, sewer, storm water, land use, recreation, energy, and governmental services. Transportation facilities are addressed in detail in the response and findings for Statewide Goal 12.

The proposed land swap will not have any effect on the City or other service providers to serve the affected property. The change does not increase demand for these services nor alter the location where they will be needed in a significant way. The marginal increase in OS/PF land inventory is so small as to be insignificant with respect to demand for public facility services.

Findings:

Implementation of public facilities and services in Madras is primarily regulated by land use plans and ordinances and public facility master plans, which are elements of the City Comprehensive Plan. The City of Madras will be the primary provider of urban facilities and services in the proposed UGB amendment and annexation area. The City will be able to coordinate service to the area with facilities and services already provided to adjacent land within the existing UGB. When development occurs on the land swapped into the Madras UGB, the property owner will be responsible for cost to extend sewer and domestic water facilities and other required public facilities.

Conclusion:

The proposed map and text amendments comply with Goal 11 for public facilities and services subject to OAR 660, Division 11.

GOAL 12 - *To provide and encourage a safe, convenient and economic transportation system.*

OAR 660-012-0060

Plan and Land Use Regulation Amendments

1. *Where an amendment to a functional plan, an acknowledged comprehensive plan, or a land use regulation would significantly affect an existing or planned transportation facility, the local government shall put in place measures as provided in section (2) of this rule to assure that allowed land uses are consistent with the identified function, capacity, and performance standards (e.g. level of service, volume to capacity ratio, etc.) of the facility. A plan or land use regulation amendment significantly affects a transportation facility if it would:

 - a. *Change the functional classification of an existing or planned transportation facility (exclusive of correction of map errors in an adopted plan);*
 - b. *Change standards implementing a functional classification system; or*
 - c. *As measured at the end of the planning period identified in the adopted transportation system plan:

 - i. *Allow land uses or levels of development that would result in types or levels of***

Findings:

Transportation system plan anticipated that the area would be developed as open space and public facilities, including the possibility of a school or park. The proposed amendment would not significantly alter the location or scale of those uses.

Conclusion:

The proposed map amendments comply with Goal 12 and OAR 660-015- 0060.

GOAL 13 - *To conserve energy.***Response:**

The proposed land swap would not alter the location or scale of planned public facility/open spaces uses and, therefore, is neutral with respect to energy impacts.

Conclusion:

The proposed map amendments comply with State requirements for energy conservation per Statewide Land Use Planning Goal 13.

GOAL 14 - *To provide for an orderly and efficient transition from rural to urban land use; to accommodate urban population and urban employment inside urban growth boundaries; to ensure efficient use of land, and to provide for livable communities; orderly and economic provision of public facilities and services.***Response:**

The proposed partition, land swap, and rezone removes high-value farm land from the UGB and replace it with lesser value rangeland. There is no change in the planned uses for this part of the UGB. The action reconfigures the shape of the UGB to exclude higher value resource land in exchange for lower value rangeland. The marginal increase in OS/PF land inventory is insignificant and will not alter the urban land development pattern in the area. The OS/PF land will be in close proximity to an existing city park that is located south of Richardson Street and east of Bean Drive. This change will result in the development of public facilities closer to planned higher-density residential uses (e.g. Yarrow Master Planned Community).

Conclusion:

The proposed map amendments comply with State requirements for urbanization per Statewide Land Use Planning Goal 14.

evidentiary hearing on adoption. The proposal forwarded shall contain the text and any supplemental information that the local government believes is necessary to inform the director as to the effect of the proposal. The notice shall include the date set for the first evidentiary hearing. The director shall notify persons who have requested notice that the proposal is pending.

2. When a local government determines that the goals do not apply to a particular proposed amendment or new regulation, notice under subsection (1) of this section is not required. In addition, a local government may submit an amendment or new regulation with less than 45 days' notice if the local government determines that there are emergency circumstances requiring expedited review. In both cases:
 - a. The amendment or new regulation shall be submitted after adoption as provided in ORS 197.615 (1) and (2); and
 - b. Notwithstanding the requirements of ORS 197.830 (2), the director or any other person may appeal the decision to the board under ORS 197.830 to 197.845.
3. When the Department of Land Conservation and Development participates in local government proceeding, at least 15 days before the final hearing on the proposed amendment to the comprehensive plan or land use regulation or the new land use regulation, the department shall notify the local government of:
 - a. Any concerns the department has concerning the proposal; and
 - b. Advisory recommendations on actions the department considers necessary to address the concerns, including, but not limited to, suggested corrections to achieve compliance with the goals.
 - c. The director shall report to the Land Conservation and Development Commission on whether the director:
 - i. Believes the local government's proposal violates the goals; and
 - ii. Is participating in the local government proceeding. [1981 c.748 §4; 1983 c.827 §7; 1985 c.565 §27; 1989 c.761 §20; 1999 c.622 §1]

Response:

Notice of the proposed map amendments was sent to the Department of Land Conservation and Development (DLCD) at least 45 days before the first evidentiary hearing on the proposal. Notice was sent to DLCD on December 31, 2015, which was more than 45 days before the first advisory hearing before the Jefferson County and City of Madras Planning Commissions on February 11, 2010. A notice addendum was submitted to DLCD on January 14, 2010. Further hearing dates have yet to be determined.

197.626 Expanding urban growth boundary or designating urban or rural reserves subject to periodic review.

A metropolitan service district that amends its urban growth boundary to include more than 100 acres, or that amends the district's regional framework plan or land use regulations implementing the plan to establish urban reserves designated under ORS 195.145 (1)(b), a city with a population of 2,500 or more within its urban growth boundary that amends the urban growth boundary to include more than 50 acres or that designates urban reserve under ORS 195.145, or a county that amends the county's comprehensive plan or land use

EXHIBITS**A. 750 ft. Notice to affected property owners**

THE CITY OF
MADRAS

125 SW "E" Street, Madras, OR, 97741
541-475-2344

ADJACENT PROPERTY OWNER & PUBLIC HEARING NOTIFICATION

DATE: February 12, 2015

CITY FILE: PA-14-3

COUNTY FILE: 14-PA-04

**APPLICANT/
PROPERTY OWNER:** Jefferson County School District 509J
445 SE Buff Street
Madras, OR 97741

MAP & TAXLOT: 11-14-6-1000

ZONING: Open Space/Public Facility (City Zoning), Exclusive Farm Use (County Zoning),
Range Land (County Zoning).

REQUEST: To amend the City of Madras Urban Growth Boundary (UGB) to add
approximately 9.96 acres to the UGB and change the County Range Land zoning
on the property to the City's Open Space/Public Facility zoning.

Adjacent Property Owner:

This letter is to inform you of a Comprehensive Plan amendment application that was submitted to the City of Madras Community Development Department by the Jefferson County School District 509J to amend the City of Madras Urban Growth Boundary (UGB) to add approximately 9.96 acres to the UGB and change the County Range Land zoning on the property to the City's Open Space/Public Facility zoning for Tax Lot 1000 located on Jefferson County Assessor's Map 11-14-6. As an adjacent property owner within 750 feet of the location of the propose land use action, you are entitled notice by the City of Madras and Jefferson County Zoning Ordinances. The approval criteria for this land use action are the following: 1) Oregon Statewide Planning Goals 1, 2, 3, 6, 7, 10, 11, 12, 14; ORS Chapter 197; 2) OAR 660-012; 3) OAR 660-014; 4) the City/County Urban Growth Area Management Agreement; 5) City of Madras Comprehensive Plan Goals 1, 2, 3, 5, 7, 8, 11, 12, 14; 6) Jefferson County Comprehensive Plan Goal 14. On March 18, 2015 the City & County Planning Commissions will conduct a joint public hearing for the proposal at 5:30 pm in the Council Chambers in the Madras Police Station/City Hall located at 125 SW "E" Street in Madras. You may provide oral comments at the March 18, 2015 Planning Commission public hearing or you may submit written comments prior to the March 18, 2015 Planning Commission public hearing at City Hall. If you have any questions, you may also call the Community Development Department at 541-475-2344. The file for this matter is available for public review at City Hall located at 125 SW "E" Street.

Nicholas Snead
Community Development Director

B. Property Assessment Report

| JEFFERSON County Assessor's Summary Report | | | | | | | | | | | |
|--|-----------------------------------|---------------|----------------|---------------|------------------|----------------|-------|------------------------------|-------------|-----------|-------------|
| Real Property Assessment Report | | | | | | | | | | | |
| FOR ASSESSMENT YEAR 2014 | | | | | | | | | | | |
| | | | | | | | | January 19, 2015 10:47:19 am | | | |
| Account # | 2627 | | | | Tax Status | NONASSESSABLE | | | | | |
| Map # | 111408-00-01000 | | | | Acct Status | ACTIVE | | | | | |
| Code - Tax # | 0110-2627 | | | | Subtype | NORMAL | | | | | |
| Legal Descr | See Record | | | | | | | | | | |
| Mailing Name | JEFFERSON COUNTY SCHOOL DIST 509J | | | | Deed Reference # | See Record | | | | | |
| Agent | | | | | | | | | | | |
| In Care Of | | | | | | | | | | | |
| Mailing Address | 445 SE BUFF STREET | | | | Sales Date/Price | See Record | | | | | |
| | MADRAS, OR 97741 | | | | Appraiser | JEAN MCCLOSKEY | | | | | |
| Prop Class | 020 | MA | SA | NH | Unit | | | | | | |
| RMV Class | 400 | 05 | 03 | 000 | 177-1 | | | | | | |
| Situs Address(s) | | | | | Situs City | | | | | | |
| Value Summary | | | | | | | | | | | |
| Code Area | AV | RMV | MAV | RMV Exception | CPR % | | | | | | |
| 0110 Land | | 76,170 | | Land | 0 | | | | | | |
| Impr. | | 0 | | Impr. | 0 | | | | | | |
| Code Area Total | 0 | 76,170 | 116,630 | | 0 | | | | | | |
| Grand Total | 0 | 76,170 | 116,630 | | 0 | | | | | | |
| Land Breakdown | | | | | | | | | | | |
| Code Area | ID# | RFD | Ex | Plan Zone | Value Source | TD% | LS | Size | Land Class | Irr Class | Irr Size |
| 0110 | 1 | R | 1 | OS | Residential Site | | 105 A | 69.25 | | | |
| Grand Total | | | | | | | | 69.25 | | | 0.00 |
| Improvement Breakdown | | | | | | | | | | | |
| Code Area | Yr ID# | Stat Built | Class | Description | TD% | Total Sq. Ft. | Ex% | MS Acct # | Trended RMV | | |
| Grand Total | | | | | | | | | | 0 | 0 |

**City of Madras
Joint City of Madras & Jefferson County
Planning Commission
Official Minutes
March 18, 2015**

I. **Call to Order**

The City of Madras Planning Commission public meeting was called to order by Jefferson County Chair Dick Dodson at 5:30 p.m. on Wednesday, March 18, 2015 in the Madras City Hall Council Chambers at 125 SW E. Street.

City of Madras Members in Attendance were:

Joe Krenowicz
Joel Hessel
Jamie Smith
Erin Tofte

Vacancy:

There are three membership vacancies.

City of Madras Staff Members in Attendance were:

Community Development Director, Nicholas Snead, City Administrator, Gus Burril, and Administrative Assistant, Michele Quinn

Jefferson County Members in attendance

Roy Hyder
Evan Thomas
Bob Powers
Dick Dodson

Jefferson County Staff Members in Attendance were:

Tonya Clouter
Bill Adams

Visitors in Attendance were:

Sande Hahn
Daniel Heffernan
Darryl Smith

II. **Consent Agenda**

Adoption of Agenda

III. **Visitors Comments**

There were no visitor comments.

IV. Public Hearings

a) Jefferson County School District 509J Comprehensive Plan and Map Amendment (City File: PA-14-3, County File :14-PA-04

Chair Dick Dodson the Planning Commission will declare ex parte communications, including site visits as well as actual potential conflicts of interests. Those in attendance will have an opportunity to challenge the disclosures.

Bob Powers announced that he visited the site.

Jamie Smith declared that he is an employee of 509-J, but I have no financial interest and I can assess this with an unbiased opinion.

Chair Dick Dodson stated that his mother lives on Bean Drive, but he has not visited with her about this.

Chair Dick Dodson opened the public hearing at 5:35 p.m. City file # PA-14-3 County file # 14-PA-04. Do any commissioners wish to abstain from this hearing? Does any of the members of the public challenge the impartiality of any Commissioners here? The applicable criteria for this application are in our packets. I don't necessarily think we need staff to read that right now.

Testimony arguments and evidence must be directed toward the applicable criteria or to other criteria in the Comprehensive Plan, or land use regulations which you believe apply to the application. If you believe other criteria apply when you testify please provide us with the ordinance, section, or other legal requirements you feel needs to be met. Failure to raise an issue by the close of the record accompanied by statements or evidence efficient to afford the Planning Commissions and the parties an opportunity to respond to the issue precludes appeal to LUBA based on that issue. If a request is made to hold the record open the Commission will either continue the hearing to a date certain, or set a deadline for the submission of additional written evidence or rebuttal there on. At this time can we hear the staff reports?

Community Director Nick Snead I will start from the City's perspective my report will be very brief and then we have the City's consultant DJ Heffernan who has prepared most of the findings for this proposal. From my perspective I have been working on this project for quite some time with the School District, and trying to find an amicable solution, that meets the state planning law, the County's policies and regulations, and the same with the City. We believe that we have come up with a proposal that does that. The findings are drafted in a manner that reflects that this. With that I would like to have DJ come up to the lectern and an additional report.

Daniel Heffernan it is good to be here this evening back in front of you again. We've done this once before when we set up the Urban Reserve Area for the City. What we are fundamentally trying to accomplish this evening through this application is to fix a mapping error. Nick passed along to me some documents that indicates the error goes back as far as 1996. Essentially we are taking a parcel that was split by the Urban Growth Boundary and we are reconfiguring the land so that it makes more sense. From the standpoint of protecting prime agricultural resource land, then allowing urbanization to occur on less valuable range land. This will create a more sensible boundary using the North Unit Irrigation District's (NUID) easement as the boundary for the Urban Growth Boundary (UGB).

What this action would do is would remove from the Urban Growth Boundary prime farm land that is currently in the UGB and north of the NUID easement. This is the blue line on the map

that is provided on power point. That prime farm land is referred to in the document as Parcel 1 and it is shaded purple on the map. Parcel 2 is the yellow area on the map it is primarily all range land. From a resource stand point, it is less valuable than the prime farm land, so that land would be included in the UGB. The area in red on the map is referenced in the report as Parcel 3. Is currently in the UGB it's currently zoned for public facility use and it would stay in the UGB. The net result of this is a slight increase in the amount of land zoned for Open Space/Public Facility use inside the UGB. That increase when you swap out the land the prime farm land that is currently in the UGB but we are removing and adding in the Range Land. There will be 10.76 acres added to the UGB. More importantly it would remain zoned for Open Space/Public Facility use. There is no net increase in urbanizable land for housing or employment uses.

You may end up with a slightly larger park site than you might have had under the old Urban Growth Boundary. Or a slightly larger school site if the School District elects to build a school on this site. There would be no increase in the amount of urbanizable land for non-public facility uses. I want to draw your attention to Table 1 in the Report that has a breakdown of the acreage changes, and the changes in zoning. That is on page eight of the application. Just to note that there is a typographical error there is two table twos. The third table should be Table 3. That talks about the relative change in the total increase of public facility land in the Urban Growth Boundary.

This is relatively insignificant it is less than two percent change to the UGB. The other point I would like to make is that there is no effect on Goals 9 or 10. There are no findings related to Goals 9 or 10. With goal 9 being Economic Development and goal 10 being Housing, because there is no increase or change in land for that purpose. There is one other correction that needs to be made. I have some suggestive wording we can work out as we go along on page 10, under subsection C where it says Special Districts. There is a note there that implies that there are no water rights inside the Urban Growth Boundary, and that is not the case. This would not affect a property owner's water rights. So land inside the Urban Growth Boundary has a water right to use water from the Irrigation District they would retain that right.

The district doesn't have any objections to the proposed change. What is important there for them is that we tried to make sure that the Urban Growth Boundary itself didn't include the irrigation canal that is an agricultural asset. The boundary would actually be the south edge of the easement of the irrigation canal. It would be entirely outside the Urban Growth Boundary and in land that is subject to agricultural zoning. Unless there are specific questions related to the findings I am not going to go through all of the findings. Other than to say we took the County's requirements for changes to an Urban Growth Boundary and developed findings associated with that and made sure we complied with the proposed action as well as the City's. The process that we are going through here is a legislative amendment because it affects the Urban Growth Boundary. It is in keeping with the Urban Growth Management Agreement between the City and the County so we followed that protocol. Nick that is all that I had unless there is something else you would like for me to address.

Community Director Nick Snead no just a technical clarification it is a buried irrigation line not a canal on the south side of Parcel 1. I have specifically directed our consultants to make the Urban Growth Boundary on the south side of the easement of which that pipe is located, with the idea that the agricultural land that is productive and the irrigation line outside the UGB so it is clearly delineates urban verses rural uses. With that I will provide Bill Adams his opportunity for his report.

Bill Adams thank you, I don't want to spend too much time because I think Nick and DJ have laid out the proposal for you. Just to say that my staff report to the Commission outlines findings under County Comprehensive Plan as well as the zoning ordinance. This proposal complies with all those criteria, I will note also that we did provide notice to surrounding property owners, notice to various agencies, and you can see we do not have any written comments. There may be a couple oral comments, but we have not received any written comments prior to tonight's hearing. I think that speaks to the fact that Nick and DJ have worked with these agencies and have resolved any issues there might have been with the proposal.

Chair Dick Dodson is there any question from the Commission?

Bob Powers I have two questions, one when this building was built there was a land transfer between the City and the School District. The School District in that process got a site near the middle school is that correct?

Community Director Nick Snead it is actually further east towards the middle school. If you go out B Street to Ashwood Road and you get to the summit near Bean Drive that is where the 20 acre parcel that the City brought into the UGB around 2010 is located.

Bob Powers ok so that is correct, so then the School District is going to have two sites that are potential school sites very short distance apart. They already have a middle school that is probably has some empty space in it because Warm Springs built a middle school. I am just wondering why they need to have two sites that close together. The second question is the yellow on this map is where you are referring to as a park or school district. Is very close to Juniper Hills park so same thing applies why would you have two parks so close together or is there some thought in the future of expanding Juniper Hills and taking in this 30 acres.

Community Director Nick Snead I will respond to a portion of that, I can't speak for the School District. Certainly Darryl Smith is here representing the Jefferson County School District 509J he can represent the District's intentions. From a Comprehensive Plan or land use perspective, the Open Space designation of the property or the portion of the property that has the City zoning of Open Space/Public Facility was made many years ago—more than ten or fifteen years ago, Tanya with the Jefferson County Community Development Department County could tell you better than I. The property on the south side of Ashwood that we brought in most recently for the School District was brought in part of the larger Yarrow master plan. This contemplated a public use adjacent to the larger development there. The thought was there would be homes and students living in that neighborhood.

That decision for locating that Open Space and Public Facility land there was made after this property here this evening. I can tell you that actually I don't disagree with the question of will the School District actually need the land? I think that is for the School District to decide, but what you really are talking about is a Public Facility use. if ownership were to change, it could be a park, it could also be a school, and it could be a technical education facility, all different types of educational facilities could be located there. That is allowed in the City's current zoning ordinance. So I will let the School District speak about the demand for additional school facilities current and future and how these properties come into play. We are contemplating a marginal increase about 10 acres of additional Open Space/Public Facility land. That marginal increase doesn't trigger a large review of the City's Open Space/Public Facility land need. Where we would need to go back into our Comprehensive Plan and conduct a larger analysis, and determine whether we have an adequate supply or otherwise. I hope that answers your question.

Daniel Heffernan if I could add to that Nick, I think what we are trying to do here is balance the Statewide Planning Goals in two areas. One is with regard to drawing an Urban Growth Boundary line that makes every effort to preserve the most valuable resource land over less valuable resource land. So that is Goals 2 and 3. Goal 2 is Land Use planning but that is primarily Goal 3 Agriculture. Then we are trying to balance that goal with the need for public facility land inside the Urban Growth Boundary. Your comments about proximity to other public facilities sites is a good one if down the road the need for public facility in this particular locating is deemed met by other facilities. Then the City and the County can revisit inside of its Urban Growth Boundary what is an appropriate use here. They would have to go through the process of amending the Comprehensive Plan or if the School District were to sell this to a third party and they wanted to alter the zoning and the plan designation for it, then they would have to go through a Comprehensive Plan amendment to do that. Drawing a more sensible Urban Growth Boundary line that results in a change of ten acres doesn't affect the total demand and open up an inquiry into the total need for public facilities. Whether on a site specific basis this is the right location for it well I don't know that's really one of the criteria that you need to be concerned with. It is really trying to balance what is the appropriate Urban Growth Boundary line to be drawn in this area given its proximity to resource lands. So I think really the requirement is to balance Goal 3 and agricultural use and range land where should that line be drawn. It seems to me it's really the resource protection that this is addressing more so than addressing a public facility need.

Chair Dick Dodson is there any other questions? None, ok we will now go into the public opportunity to testify. Tonya is there a sign in sheet.

Community Director Nick Snead they are in the back I don't know if anyone has signed it. I think we only have the applicant and one other member of the public here. You can call them up as you need.

Chair Dick Dodson Darryl from the School District is here would you like to testify? Please state your name and mailing address and position.

Darryl Smith My name is Darryl Smith, Director of Human Resources and Operations for Jefferson County School District, 445 SE Buff Street, Madras, Oregon. I am here to endorse this decision and I am excited that it is even a possibility. It made absolutely no sense to look at the previous line for the UGB. Bob to answer your question does it makes sense to have two parcels of property in such close proximity. My answer to that today is no it doesn't but I wish one hundred years ago somebody would have sat here and said we need a large chunk of land on the west side of town. West of what then was probably not even Madras Union High School yet, but to set it aside to become a school. Since that hasn't happened there is not a place on the west side to build, if you look at projected growth and projected housing development.

It seems to be trending towards the east side of Madras as Nick indicated potentially someday it could be a vocational center, it could be another branch of Central Oregon Community College. A one hundred years from now it could be part of Oregon State University. It's a large chunk of land that has potential to build a school on and there aren't many within the Urban Growth Boundary right now that have that potential. That is the interest of the School District is it in our interest to have a large chunk of farm land probably not. Is it something we would want to give up knowing that there is nothing really out there to choose from as far as growth for the district? So it makes sense for the School District to hang on to that property.

Chair Dick Dodson ok is there any questions? Madam would you care to testify? City and DJ is there anything else to add?

Community Director Nick Snead the map you see on the projector that is also in the findings reflects three different parcels. The reason I did that was because it helps illustrate the larger intent of the School District. After this meeting this evening the City Planning Commission will consider annexation of the parcels identified as red and the yellow properties. They will partition those and create two parcels there and the third parcel the purple one. With the intent of making sure EFU farm land or A-1 zoned farm land is a separate parcel. The parcel boundaries will follow the zoning as well and the UGB. Part of the reason we got here this evening is the Urban Growth Boundary and the zoning and the partial boundaries in no shape or form aligned with each other. This is the best practice and if I was a Planning Commissioner I would want to know if you were creating three parcels, why are you doing that, and what is the zoning?

Chair Dick Dodson any further questions for staff? I have on question the red parcel which is called Parcel 3. Is that the parcel that has been talked about the cemetery adding to that?

Community Director Nick Snead I don't want to speak for the School District but I believe the intent is to of course keep the Open Space/Public Facility zoning on it, and I believe the intended use for that is a later phase of the cemetery.

Darryl Smith I think probably in the interest of full disclosure the School District has been in conversation with the County, and in looking at that parcel that is red. I think part of that parcel if not all of it, but I think all of it actually if I am right Nick. That parcel would go to the County the County's interest in straitening Bean Drive at that curve at the south end of that parcel. To straighten that out to go straight out to Loucks Road and then add on to the cemetery and I believe the projection for the cemetery capacity is 2023. So other words the cemetery needs to get expanded or they would have to figure out another place to have a cemetery. By selling that small parcel to the County enables the County to expand the cemetery for growth.

Chair Dick Dodson ok thank you if there are no further questions from any Commissioners I will close the public hearing on City file #PA-14-3 and County file # 14-PA-04.

Public hearing closed at 6:04 p.m.

Community Director Nick Snead as we have done this in the past how we have conducted the joint hearing. You close the public hearing and per the Urban Growth Management Agreement both the County and City Planning Commission is to make a decision. I have always interpreted that the City Planning Commission should make a decision first and then the County Planning Commission. So that the County makes sure that your decision is consistent with City's so my recommendation is to close the public hearing. Chair Hessel will facilitate the decision of the City once that decision however that is made. Then it would go to the County to make a decision of your choosing.

Chair Joel Hessel does any of the City Planning Commission have any comments or questions?

A MOTION WAS MADE BY COMMISSIONER JOE KRENOWICZ TO PASS CITY FILE PA-14-3. THE MOTION WAS SECONDED BY COMMISSIONER ERIN TOFTE THE MOTION PASSED UNANIMOUSLY.

Chair Dick Dodson is there any question or comments to staff or deliberation time?

A MOTION WAS MADE BY COMMISSIONER ROY HYDER TO RECOMMEND APPROVAL OF THE PROSOED AMENDMENT COUNTY FILE 14-PA-04 TO THE COUNTY BOARD OF

OFFICIAL MINUTES
CITY COUNCIL, CITY OF MADRAS
MARCH 24, 2015

I CALL TO ORDER

The City Council meeting was called to order by Mayor Royce Embanks at 7:03 p.m. on Tuesday, March 24, 2015 in the Madras City Hall Council Chambers located at 125 S.W. "E" Street.

CITY COUNCIL MEMBERS IN ATTENDANCE WERE:

Mayor Royce Embanks Jr., and Councilors Jim Leach, Richard Ladeby, Chuck Schmidt, Bill Montgomery, and Tom Brown.

There is currently one vacancy on the Madras City Council.

STAFF MEMBERS IN ATTENDANCE WERE:

City Administrator, Gus Burrell; City Attorney, Jeremy Green, with the firm of Bryant, Lovlien and Jarvis, PC; Assistant to the City Administrator, Sara Puddy; Finance Director, Brandie McNamee; Police Chief, Tanner Stanfill; Public Works Director, Jeff Hurd; Community Development Director, Nicholas Snead; Public Works and Community Development Administrative Assistant, Michele Quinn; Customer Accounting Clerk, Megan Hansen; Accounting Analyst, Julie Johnson, and City Recorder, Karen J. Coleman.

VISITORS IN ATTENDANCE WERE:

Angenetta Coogan; Judy Barker; Israel and Blanca Reynoso; Gregg Markwardt; Mary Wolverton; Robert Starkel; Stan and Mae Huston; Rich and Cheryl Lohman; Patrick Walker; Cecilio Contreras; Michael R. Hughes an attorney from Bend; Rick Allen; Janet Brown, Jefferson County Manager, Economic Development for Central Oregon; Mike Williams and Larry McLean, Jefferson County Veterans, and Pamela Thomas.

Some of the visitors left at various times during the meeting.

II PLEDGE OF ALLEGIANCE AND PRAYER

Mayor Embanks asked Councilor Ladeby to lead the pledge of allegiance to the flag of the United States of America, and Councilor Leach to lead the prayer, which they did.

III CONSENT AGENDA

All matters listed within the Consent Agenda have been distributed to each member of the Madras City Council for reading and study, are considered to be routine, and will be

OFFICIAL MINUTES

CITY COUNCIL, CITY OF MADRAS MARCH 24, 2015

enacted by one motion of the Council with no separate discussions. If separate discussion is desired, that item may be removed from the Consent Agenda and placed on the Regular Agenda by request.

- A. Approval of Minutes From the March 10, 2015 City Council Meeting
- B. Approval of Procurement of Materials and Labor for 12 Electrical Drop Cords for the Public Works Department Vehicle Storage Building
- C. Approval of Proposed Purchase and Installation of a new Sahalee Park Sign to be Purchased and Installed in Fiscal Year 2015-2016
- D. Approval of Proclamation Designating Madras, Oregon, as a Purple Heart City
- E. Approval of Appointment of Denise Piza to the City Planning Commission Term will Begin on April 1, 2015 and Expire on December 31, 2015

This item was added to the Consent Agenda.

A MOTION WAS MADE BY COUNCILOR RICHARD LADEBY AND SECONDED BY COUNCILOR TOM BROWN THAT COUNCIL ACCEPT THE CONSENT AGENDA WITH THE ADDITION OF THE APPOINTMENT OF DENISE PIZA TO THE CITY PLANNING COMMISSION. THE MOTION PASSED UNANIMOUSLY, 5/0.

IV VISITOR COMMENTS

Mayor Embanks provided those in attendance with an opportunity to present comments at this time.

Medical Marijuana Time, Place, and Manner Ordinance

Janet Brown, Jefferson County Manager, Economic Development for Central Oregon, came forward to present comments on the Medical Marijuana Time, Place, and Manner Ordinance provisions. She told the Council that she had submitted a request to speak during the City Council Work Session, but that her request must have gotten lost in the shuffle.

[Note: A request had been submitted as mentioned; however, the request listed EDCO at the top of the page. There was nothing listed under "topic" which would indicate that she had wanted to speak on the Medical Marijuana issue.]

OFFICIAL MINUTES

**CITY COUNCIL, CITY OF MADRAS
MARCH 24, 2015**

She told the Council that she would like to talk in regards to the Industrial Zone and the Medical Marijuana. If talking about time, place, and manner then she knows that it might be handled in a land use process, but place is a very important part of what Council is looking at right now. She asked that the Council not put the Medical Marijuana in the Industrial Site.

She explained that she has talked about business projects with Community Development Director Sneed and right now it would not be an allowed use in the City's Airport-Industrial Zone. It is based on a certain percentage or square footage of total building space that can be used for ancillary uses, which are the retail commercial uses. For instance, a brewery would have to have a majority of their building go towards production, and a small percentage of the square footage, depending on whether it is in the Industrial Zone or the Airport Development Zone, could be used for ancillary or retail commercial. Right now it is not an allowed use in the Industrial or Airport Zone and she would encourage Council not to change the ordinances and regulations to allow it.

She suggested the need to put it in the Commercial Zone where retail belongs and protect the Industrial Zone. She told the Council that too many communities do not protect their Industrial Zones and turn them into commercial and then when they have opportunities come in for industrial, they don't have land available. She pointed out that they have done a good job of protecting our Airport and Industrial Zone from encroachment from commercial and residential.

V WRITTEN COMMENTS PERTAINING TO MEDICAL MARIJUANA ORDINANCE NOT PRESENTED DURING THE CITY COUNCIL WORK SESSION WILL BE READ INTO THE RECORD

Mayor Embanks advised those in attendance that to his knowledge there were no written comments submitted pertaining to the work session that Council just completed.

VI COUNCIL'S INSTRUCTIONS TO STAFF ON MEDICAL MARIJUANA ORDINANCE PROVISIONS

Mayor Embanks explained that Council has talked about this, has arrived at some kind of a consensus, and will need to vote on it. He mentioned that there can be further discussion on this right now, or someone on the Council can make a motion.

City Attorney Green advised Mayor Embanks that his suggestion would be that he be allowed to go through the issues that were discussed during the work session, perhaps

OFFICIAL MINUTES

CITY COUNCIL, CITY OF MADRAS MARCH 24, 2015

reach an agreement or consensus as he goes through those, and make one motion directing staff to proceed as the Council decides.

Mayor Embanks told City Attorney Green that this sounds like an efficient way to do this.

City Attorney Green referred to Section 6.6 (Operating Hours) and said that this concerns the hours and days of operation. What he has heard is that the Council would like the dispensaries to be permitted to operate Monday through Sunday from 9:00 a.m. to 7:00 p.m.

Councilor Leach mentioned that he cannot see why 8:00 a.m. is not sufficient. In his opinion, Council should treat the dispensaries the same as they would treat another business.

Councilor Ladeby pointed out that liquor stores generally open at 11:00 a.m.

Mayor Embanks noted that liquor store hours vary from town to town across Oregon.

City Attorney Green explained that he does not know this for certain, but he does not believe that liquor stores can sell alcohol before 9:00 a.m. He asked Police Chief Stanfill if this was correct.

Police Chief Stanfill told City Attorney Green that they can sell liquor in the stores earlier, but that he is not sure about the liquor stores.

Mayor Embanks mentioned that stores are open 24-hours a day and questioned whether they can sell liquor at anytime during the day.

Police Chief Stanfill advised Mayor Embanks that there is an "hours of operation" that the stores must comply with. He said that he believes that they shut down at 2:30 a.m. and he estimated that they open back up at 6:00 a.m. or 7:00 a.m.

Councilor Brown asked City Attorney Green if they are talking about Medical Marijuana only.

City Attorney Green told Councilor Brown that this was correct.

Councilor Brown wanted to know if it will be a completely different conversation when Council starts discussing Recreational Marijuana and that there will be a completely different set of regulations.

OFFICIAL MINUTES

CITY COUNCIL, CITY OF MADRAS MARCH 24, 2015

City Attorney Green advised Councilor Brown that it will be a different discussion, but what he is envisioning is starting with regulations similar to these, and then building off of those. He said that we don't know what the OLCC will come out with.

Councilor Brown mentioned that he has read the Oregon Liquor Control Commission's wish list of what they want that they are giving to the Legislature, and there are a lot of regulations that will be different from those for the Medical Marijuana, but then the Legislature hasn't gotten that far yet.

City Attorney Green indicated that this was correct.

Councilor Ladeby asked Councilor Leach if he would be willing to compromise and go with 9:00 a.m. or if he prefers to stay with 8:00 a.m.

Councilor Leach said that he doesn't care as this is not that big of a deal to him.

City Attorney Green confirmed with the Council that the dispensaries would be permitted to open at 8:00 a.m.

He referred to Section 6.7 (Odors) and told the Council that he would just like to point out to them that when staff brings a revised draft back to them in April, they will develop Section 6.7 to deal with the objective standards that were discussed.

He explained that Section 6.10 (Dispensary Location) is the area that does, in his opinion, require considerable discussion as he and City Administrator Burril needs clarity as it relates to the setback or cushions. What he has heard is that the Council would like public parks to be part of Section 6.10, as well as the Library. He mentioned that he believes that the Library is already in there under subsection c. He told the Council that they want clarity as far as whether or not the cushions are based upon 1,000 feet or 500 feet specific to the public parks and the library.

Mayor Embanks requested clarification that the schools are 1,000 feet.

City Attorney Green indicated that this was correct, as this is State regulations.

Councilor Brown announced that from his perspective he is good with how the State has it and suggested that it pertain to schools only.

Councilor Leach said that his vote is as written in the proposed amendment.

Councilor Schmidt wanted to know if this would include the Fairgrounds as part of the parks, or if this is a separate issue.

OFFICIAL MINUTES

CITY COUNCIL, CITY OF MADRAS MARCH 24, 2015

City Attorney Green reminded Councilor Schmidt that they had not discussed the Fairgrounds during the work session, so if he would like to put the Fairgrounds on the table, now would be the time to do it.

Councilor Schmidt asked if it was not included in the dark blue bubble depicted on the map.

City Administrator Burril pointed out that it is currently part of the blue on the map.

Councilor Schmidt said that he sees the Fairgrounds as more of a commercial area, rather than a place for kids to hang out.

Councilor Leach indicated that he thinks that this had been included because of the youth fishing pond, as it is a place where youth congregate.

Councilor Schmidt questioned whether 1,000 feet is too big of an area. He wanted an estimate as to how far 1,000 feet, line of sight, would be from the City Council Chambers.

City Administrator Burril estimated that on average 1,000 feet would be about three blocks.

Councilor Schmidt said that in his opinion, this is probably reasonable.

Councilor Montgomery questioned why we are doing it at all. He mentioned that the schools make sense, but no one in their right mind is going to set up a Medical Marijuana Dispensary next to a school. They are going to put it someplace where people can find it, which means downtown.

In his opinion, they should be worrying about where the people are going to smoke the stuff once they have it. Saying that they cannot smoke Marijuana in the parks makes perfect sense. He noted that you can tell people that they can't smoke cigarettes in the park. It kind of complicates things to even mention it.

Councilor Schmidt asked if it is illegal to smoke the Marijuana in those blue areas or if it is just that a dispensary cannot be in those blue areas.

City Administrator Burril explained that they are not getting into the smoking of it right now; they are just determining where dispensaries could be located within whatever buffer Council chooses. For example, if Council were to choose a buffer, the dispensary itself could not be located in that zone.

OFFICIAL MINUTES

CITY COUNCIL, CITY OF MADRAS MARCH 24, 2015

Councilor Schmidt wanted to know if this would be addressed later.

Police Chief Stanfill advised Councilor Schmidt that he could address that now as there is no public use.

Councilor Montgomery said that 1,000 feet from schools is fine as this is what the State law says, but he is not sure that the City would gain anything by adding to this.

Councilor Ladeby pointed out that if there is no public use, it would be illegal to have it in the public library or public parks, so it would almost be redundant to say that you can't smoke within 1,000 feet or 500 feet. It is already stated that you can't smoke in public, and if this is the case, law enforcement can take action on it, so putting it into the ordinance is sort of useless.

Mayor Embanks reminded Councilor Ladeby that they are not talking about smoking; they are talking about where the dispensary is to be located. The public safety issue is that if you have a dispensary near a park or a school then there will be the temptation for somebody to sell or give children Marijuana, so this is the whole idea about the dispensary not being located near a school. He said that he thinks that it is probably unlikely that someone is going to do this with Medical Marijuana, but this is still why they wrote it in there, that a dispensary cannot be located within 1,000 feet of a school.

Councilor Ladeby explained that the distance between the Madras Elementary School and the public library is about three blocks and wanted to know if this would not already be covered in there.

Mayor Embanks pointed out that Westside Elementary is right next to the Police Station / City Hall and we have kids there from the Kids Club five days a week.

City Administrator Burril estimated that the public library is within three or 400 feet of the Fifth Street corridor, so whatever the buffer is, it is going to be on the western side of the library that is affected because the library sits essentially on the east side of the Commercial Zone.

Mayor Embanks said that he does not know how many establishments like this we will have, but he thinks that it is likely that we won't have a whole bunch of them. He mentioned that maybe he is wrong as he does not know what the use is and is not sure if anyone has actual numbers, but he would think that we may only have one or two so we have to have room for at least two within the City. If we make our exclusion zone too large then we do force people into an inability to find a building or space to do their business. He indicated that he is not sure whether the City should make it 1,000 feet

OFFICIAL MINUTES

CITY COUNCIL, CITY OF MADRAS MARCH 24, 2015

from both parks and schools and suggested the possibility of going to 500 feet from the parks, and keeping it at 1,000 feet from the schools.

Councilor Brown reminded Council that the people that do these facilities have thousands of dollars invested in them and they are going to be careful how they do it. They are under 24-hour video surveillance seven days a week. You have to be a licensed person to be on the premises. If you do not have a card, you can't even go in there.

Mayor Embanks explained that the question is what buffer does Council want to create? Do we want to go with the standard, which is already in the State ordinance, which is 1,000 feet or do we want to make it larger?

Councilor Leach noted that 500 feet from parks has been thrown out as a compromise and he would be willing to accept this compromise.

Councilor Brown said that he would like to see how much land that would actually exclude.

City Administrator Burril wanted to know if staff should bring a couple of maps to the next reviewing of the ordinance to be considered, so Council can look at those scenarios.

City Attorney Green offered to go ahead and draft the ordinance. He told the Council that he wants some clarity on Section 6.10 (Dispensary Location) before we move on, but he can draft the ordinance based upon the clarification they provide this evening. Staff can provide the mapping and bring it back, and if they do not like the way this plays out then they can always make changes.

He explained that he is going to go through Section 6.10 (Dispensary Location) to try to minimize the discussion at the April 14, 2015 meeting. Under 6.10 we will say that a dispensary must not be located at the same address as a Marijuana Grow Site, which is a State regulation, within 1,000 feet of real property comprising a public or private elementary, secondary, and/or career school attended primarily by minors, which is also State regulation, within 1,000 feet of real property comprising a public library (what he is hearing is that we may go 500 feet or 1,000 feet and staff will bring back mapping on that), and within 1,000 feet of a facility that provides youth development activities to minors. He wanted to know if the Council wanted this last provision in there.

Councilor Leach mentioned that in his opinion, this would be the exact same idea as a school, so he is a yes.

OFFICIAL MINUTES

CITY COUNCIL, CITY OF MADRAS MARCH 24, 2015

City Attorney Green said that he will leave it in there for now and he will identify a couple of illustrations or examples in the parenthetical there.

He continued by saying that a dispensary must not be located within 1,000 feet of another dispensary (which is a State regulation), and in any other area or zone not expressly permitted under the City's land use code. As of now, what he believes to be on the table is excluding dispensaries in the C-2 and C-3 Zone.

He reminded the Council that they have also heard testimony and comments from Council members about wanting to also exclude the dispensaries from the Industrial Zone. He asked that the Council provide staff with some clarity or direction on the zoning.

Mayor Embanks agreed that he does not want it near the Industrial Site.

Councilor Montgomery told City Attorney Green that he feels the same way.

City Administrator Burril clarified that the City has three Commercial Zones, the C-1, C-2, and C-3. The C-1 Zone tends to be the largest in the more northerly and southerly areas and the downtown couplets are the C-2 and C-3 Zones. If Council is open to all of the Commercial Zones, we won't expressly say no to any of them. If there is any issue with the couplet, this would be the place to insert the exclusion.

Councilor Brown mentioned that at this point he is not into excluding any particular zones outside of the Industrial Site.

Councilor Leach indicated that he would concur. He said that he is more interested in the limitation around minors than he is with the C-1, C-2, or C-3 areas.

Mayor Embanks noted that it appears that they have a consensus on that.

City Attorney Green explained that basically we are going to exclude a dispensary from being located in the Industrial area and other than that no additional zoning driven exclusions.

Unless there is further discussion on the edibles, the felony conviction discussion, or the background checks, he would be prepared to move forward with bringing back to Council a revised more polished version of the ordinance. He recommended that the Council make a motion to direct city staff to proceed with the revisions as just discussed.

OFFICIAL MINUTES

CITY COUNCIL, CITY OF MADRAS MARCH 24, 2015

Councilor Brown asked if they want to talk about something that would eliminate a big pot leaf on the window.

City Attorney Green advised Councilor Brown that the TPM Ordinance just basically refers back to the City's sign ordinance. From a restriction or control of signage, you run into significant first amendment issues among other things and he would prefer to defer to the City's sign ordinance at this point and not specifically regulate or control content specific signage.

A MOTION WAS MADE BY COUNCILOR RICHARD LADEBY AND SECONDED BY COUNCILOR JIM LEACH THAT THE CITY GO FORWARD WITH THE MARIJUANA ISSUE ORDINANCE, AS DISCUSSED, WITH THE CHANGES NOTED AND BRING BACK THE FINAL DRAFT IN APRIL. THE MOTION PASSED UNANIMOUSLY, 5/0.

VII CLASS OF 2015 CULVER HIGH SCHOOL / 2015 SENIOR GRADUATION PARTY COMMUNITY FUNDING REQUEST

Pamela Thomas introduced herself and explained that she is here on behalf of the Culver graduating class of 2015 and they are in the process of raising money for the graduation party. The party is going to be on June 6, 2015, the day of the graduation.

She mentioned that she had put in a request for funds and they are actually going to be coming to Madras for the party. They will be going to four different locations here in Madras (e.g. the Madras Aquatic Center, the Madras Theater, the Bowling Alley, and the Elks Lodge, where they are going to have a Casino type theme). The Madras Bowling Alley and the Theater is going to be charging \$15 per child which would include food and a drink. They are asking for \$15 per kid for 62 kids, which ends up being about \$930 for one location, either the bowling alley or the theater, which is what they are charging. This is the largest class they have had in Culver.

City Administrator Burril advised Mayor Embanks that the Council can consider this under the budget for Tourism and Economic Development Funds (e.g. Transient Occupancy Tax). There is about \$430 in the unappropriated funds. He said that if Council wants to consider more than this, we would need to do a budget adjustment, which would be possible to do.

Councilor Leach wanted to know if this request falls under this fiscal year budget and not the one that is coming up.

City Administrator Burril told Councilor Leach that it would come from this fiscal year's budget.

OFFICIAL MINUTES
CITY COUNCIL, CITY OF MADRAS
MARCH 24, 2015

Mayor Embanks pointed out that we have \$438 available. If Council wants to give more we would have to do a budget request for that. He asked for input from the Council.

Councilor Leach mentioned that this is the end of this fiscal year, so he is fine with spending the \$438 that is left in that fund.

Councilor Brown indicated that he would not be in favor of doing a budget resolution as they would be getting into next year's funding.

Councilor Schmidt explained that he would not have a problem donating the \$438. He wanted to know if Ms. Thomas had been to the County to request funding.

Pamela Thomas told Councilor Schmidt that she had not, and said that she can do that.

Councilor Schmidt reminded the Council that they have been talking about economic development and that these funds are coming back to two places in our city, so it is money that is going to be returned to the citizens. He indicated that he is good with it.

A MOTION WAS MADE BY COUNCILOR JIM LEACH AND SECONDED BY COUNCILOR CHUCK SCHMIDT THAT THE CITY DONATE \$438 TO THE CLASS OF 2015 CULVER HIGH SCHOOL SENIOR GRADUATION PARTY. THE MOTION PASSED UNANIMOUSLY, 5/0.

VIII PUBLIC HEARING (Legislative)

A. WATER SYSTEM MASTER PLAN

1. Mayor Opens the Public Hearing

Mayor Embanks opened the Public Hearing at 7:30 p.m.

2. Staff Report

Community Development Director Sneed advised Council that they may recall that in 2014 they approved the Water System Master Plan. What we didn't do is amend our Comprehensive Plan to include this Water System Master Plan, and this is important because if the City would like to make land use decisions in accordance with this Master Plan we need to adopt it into

OFFICIAL MINUTES

CITY COUNCIL, CITY OF MADRAS MARCH 24, 2015

our Comprehensive Plan. The request tonight is whether we should amend our Comprehensive Plan to include this Public Facility Plan.

He said that as he mentioned, this has been to Council before in the last year and really the intent is to formally adopt this and send notice to the State of the changes to our Comprehensive Plan.

Public Works Director Hurd reminded the Council that he had given a presentation back in March, 2014, for our Water System Master Plan. The last time we had the plan updated was in 1980. According to the Oregon Health Authority, we need to update these plans every 20 years.

The Water System Master Plan kind of gave a description of our existing system, kind of told us where we were at (e.g. we had about 900 services in town), laid out what our existing infrastructure looked at, and determined what our flows are in town to see where we were deficient. One of the goals is that we are supposed to maintain about 42 psi for our pressure, which we do. In fact we are averaging a little over 50 psi, so we are good, but it also looks at other areas such as fire flows for fire hydrants. There are some areas in town that were identified in the plan that shows that, for capital improvements, we need to change our pipe size, replace pipes to increase fire flow, and add fire hydrants in specific locations around town.

He explained that another item that came up had been our unaccounted for water loss. He told the Council that if they recall, we were at 30 percent in that first presentation and we did some more investigation that showed that we were at 22 percent. Since the time Council approved that plan staff started researching to see what happened. We have gone back through and did a massive audit in our system and our accounts. It has just been updated and we realized that we are sitting at 14 percent. He mentioned that the State requires us to be under 15%, but they would like to see us at 10%, so we are actually gaining on this which is a good thing.

The other big things that come out of this are that it generates a Capital Improvement Plan list and identifies the areas where you need to improve your system. If a development should come in, and there needs to be improvement to serve that development, it is already planned out. Once the Water System Master Plan is adopted, it allows us to pose a condition on that development to make those necessary improvements.

OFFICIAL MINUTES

CITY COUNCIL, CITY OF MADRAS MARCH 24, 2015

3. Comments From the Public

Mayor Embanks provided those in attendance with an opportunity to present comments at this time.

There were no comments offered.

4. Mayor Closes the Public Hearing

Mayor Embanks closed the Public Hearing at 7:36 p.m.

5. Council Deliberations (Comments and/or Questions)

Councilor Brown wanted to know how these improvements would affect the budget.

Public Works Director Hurd explained that as with everything our resources are limited, so in order to do some of these major improvements staff is always seeking grant funding assistance to get these completed. This is, in his opinion, the approach that we need to take to get some of these done.

City Administrator Burril told Councilor Brown that in the proposed budget that is being prepared for the Budget Committee in April, there is a proposed water rate study in professional services for the upcoming fiscal year.

The last time the City analyzed its water rates was in 2005, so it has been about ten years ago. Now that we have a Capital Improvement Plan they will look at our revenues, the estimate of those costs, and will re-evaluate our Water Systems Development Charges. He indicated that the Water SDCs were not necessarily evaluated in 2005.

He mentioned the need to clearly identify this in the Annual Strategic Implementation Plan and start planning for it. The additional item that is going to flow in there from that analysis is what does Deschutes Valley Water District's impact mean in 2020 when their subsidy of selling power gets renegotiated to a different rate, at a substantially lower income? This is planned in the next upcoming Annual Strategic Implementation Plan and in the upcoming budget.

OFFICIAL MINUTES

CITY COUNCIL, CITY OF MADRAS MARCH 24, 2015

Councilor Montgomery explained that he hates to bring up a contentious issue, but there is this ongoing battle over climate change and what is going on with water. He said that when you look at California, the whole state is rising because their water is getting sucked out of the ground. He mentioned that you have to wonder how long it will be before some of them are starting to move up here to get water to do their thing.

He told the Council that he is really interested in kind of understanding where we are in terms of figuring out how to conserve on water and make sure that people aren't wasting it by sprinkling the streets and whatnot. This is going to be a big issue over the next few years. He said that he does not think that any of this that we are discussing tonight is necessarily going to address it. He asked Public Works Director Hurd if there is anything in the Water System Master Plan that is going to lead the City down the path of doing a better job of conserving our water.

Public Works Director Hurd advised Councilor Montgomery that there isn't, because actually, per the report, it states that there is an adequate water supply for the City of Madras and the Deschutes Valley Water District for the next 20 years, so it is saying that this isn't even a concern.

Councilor Montgomery asked Public Works Director Hurd if he believes that.

Public Works Director Hurd told Councilor Montgomery that he doesn't have any reason not to believe it.

Mayor Embanks said that the big issue that we have to worry about is if the Cities of Bend and Redmond try to make a water grab from the Deschutes Valley Water District and redirect the Deschutes Valley Water District's water down there, which would decrease the amount of water over time that we would have here. This is the kind of thing that concerns him because the aquifer is, as far as he knows, a very successful aquifer that is not going to dry up in the next month or two, but he thinks that there is going to be an issue with water to the south of us. This is what we need to keep an eye on and keep involved with the Deschutes Valley Water District so we know what is going on. We also need to continue to be involved with the water rights issues, because the water rights issues are really big and the water rights issues in this state cover underground water as well as surface water.

City Administrator Burril reminded the Council that the City is a member of the Deschutes Water Alliance and that Councilor Ladeby is serving on the

OFFICIAL MINUTES

CITY COUNCIL, CITY OF MADRAS MARCH 24, 2015

Basin Study Work Group Advisory Committee that is looking at the Basin Study, so we have a voice and representation as they look at the needs of the whole region. They will look at the opportunities and where the available water is.

Water will be the most precious commodity as we go forward in the next several decades and is very precious to Bend, Prineville, and the Sisters area as they are trying to get water right out of the river. He told the Council that we are fortunate in location and in our agreement with the Deschutes Valley Water District to have access to a pretty good supply considering our location right now.

As we go forward in the future, how will it be looked upon by our neighboring folks who are much bigger than we are? He agreed that we definitely want to keep a voice and interest at the table as we go forward. The City has our own backup wells, which is strategic for us as well. We have the ability to pump additional water in addition to what we need to buy from Deschutes Valley.

It would be a very strategic relationship to keep going forward with Deschutes Valley as it is good quality water that we have and enjoy. He said that he agrees that as we grow as a population, that folks will have to move to where the resource is available. He said that it may be very much a part of our strategic economic development down the road if we have available water.

Councilor Ladeby advised Council that this study group is actually looking at the water usage for the next 50 years and it is taking in both the agricultural needs and residential needs so it is important that we are involved and that Jefferson County is involved. He said that he is not sure at this point if the Jefferson County Commissioners are involved. He is going to try to find out who their representative is, if they have one, and meet with them before the next meeting in April. He mentioned that he is also going to meet with the Deschutes Valley Water District and several other entities to get up to speed before the meeting.

Councilor Schmidt asked Public Works Director Hurd if by having this plan in place, if he is then allowed to go out and find grant funding as long as it is identified in the Master Plan.

Public Works Director Hurd explained that a majority of all grant funding requires that you have it identified in a master plan of some sort (e.g. a trail is

OFFICIAL MINUTES

CITY COUNCIL, CITY OF MADRAS MARCH 24, 2015

identified in the Parks and Open Space Master Plan, streets are identified in the City's Transportation System Plan, etc.).

Councilor Schmidt requested clarification that this is the correct step as we move forward.

Public Works Director Hurd indicated that it is.

6. **Council Takes Formal Action at This Time to Approve, Modify, Deny, or Continue the Hearing to a Time and Date Certain**

A MOTION WAS MADE BY COUNCILOR CHUCK SCHMIDT AND SECONDED BY COUNCILOR BILL MONTGOMERY THAT THE CITY COUNCIL APPROVE THE PROPOSED COMPREHENSIVE PLAN AMENDMENT TO ADOPT THE UPDATED WATER MASTER PLAN AND DIRECT STAFF TO PREPARE THE PROPER ADOPTING ORDINANCE FOR THE CITY COUNCIL'S CONSIDERATION AT A FUTURE MEETING. THE MOTION PASSED UNANIMOUSLY, 5/0.

IX **PUBLIC HEARING** (Quasi-Judicial)

A. **JEFFERSON COUNTY SCHOOL DISTRICT 509-J, PROPOSED AMENDMENTS TO CITY OF MADRAS COMPREHENSIVE PLAN AND ZONE MAP TO AMEND CITY'S URBAN GROWTH BOUNDARY AND ZONING FOR A PORTION OF ASSESSOR'S MAP #11-14-6, TAX LOT #1000**

1. **Mayor Opens the Public Hearing**

Mayor Embanks opened the Public Hearing at 7:45 p.m.

Community Development Director Snead advised Mayor Embanks that for purposes of formality there is a need to make sure that there are no conflicts of interest of the City Council because this is a quasi-judicial hearing.

For the members of the public, the quasi-judicial statement is printed on the meeting agenda, so the Mayor does not have to read it.

OFFICIAL MINUTES

CITY COUNCIL, CITY OF MADRAS MARCH 24, 2015

2. Mayor Reads Hearing Disclosure Statement (if requested) and

- ▶ asks Council members to disclose any potential or existing conflicts of interest or ex parte contact

Mayor Embanks asked Council members to disclose any potential or existing conflicts of interest or ex parte contact at this time.

Councilor Leach declared a conflict of interest as his employer has land in the affected area and they have interest in this. He said that he will join in the discussion, but will not vote.

- ▶ asks if any Council members will be abstaining from participation in the Public Hearing

Councilor Leach mentioned above that he would be joining in the discussion, but would not be voting on this issue.

- ▶ provides those in attendance with an opportunity to present challenges as to City Council impartiality

There were no challenges as to membership impartiality presented at this time.

3. Staff Report

Community Development Director Snead explained that he is forwarding the recommendation to approve the proposed Comprehensive Plan Amendment by both the Jefferson County and City Planning Commissions who held a joint meeting on March 18, 2015 here at the City Hall to review this particular proposal.

He referred to page 4 of their packet and said that he is showing the Council the existing zoning and Urban Growth Boundary for the property. The subject property, which is again entirely owned by the Jefferson County School District, encompasses 69.25 acres. He told the Council that the green portion, while pointing to an area on the map, is zoned Open Space / Public Facilities. The black dashed line is the current Urban Growth Boundary.

OFFICIAL MINUTES

CITY COUNCIL, CITY OF MADRAS MARCH 24, 2015

Looking further east, the red line traveling up north and then up to Loucks Road is the property that the School District owns (69.25 acres). What staff has heard time and time again from the School District is, can't you do something about the Urban Growth Boundary on our property. He told the Council that they can see that it really bisects the property, so it doesn't allow the property to be used very efficiently in an urban manner.

He pointed out that there is a portion on the east side of the property that is zoned Rangeland on the County Zoning Map. This in his opinion, doesn't make a whole lot of sense when on the west side of the Urban Growth Boundary you have the same amount of Junipers and no difference in the land, except for the Urban Growth Boundary and the City zoning.

He explained that he has been working with the School District for quite some time on this project, and the proposal is to change the Urban Growth Boundary.

He referred to the map, which was shown on the screen in the City Council Chambers and included in the Council's meeting packet and said that it is important to note that where it cuts from the east back to the northwest, that there is a buried North Unit Irrigation pipe. There is actually an easement. Staff, in working with the surveyor and the North Unit Irrigation District, determined that the boundary should be located on the south side of that easement. What this does is allow the productive farmland, the purple area on the map, to be outside of the Urban Growth Boundary, which is consistent with State law, but then also have that irrigation facility (the water line) be outside the City.

The adjustment adds a little over 10.0 acres to the City's Urban Growth Boundary. In terms of State law, when you change your Comprehensive Plan there is really a threshold of about 50.0 acres. When you make a change that is larger than 50.0 acres, to your zoning or Urban Growth Boundary, that is when you have to crack open the larger Comprehensive Plan and really have to justify that land. The level of scrutiny is much lower on anything below the 50 acre threshold.

He advised Council that he had met on several occasions with the Jefferson County Planning Director and field representative from the Oregon Department of Land Conservation and Development on this project, and both of them are very supportive of the proposal that is before the Council this evening, and find it to be consistent with State law.

OFFICIAL MINUTES

CITY COUNCIL, CITY OF MADRAS MARCH 24, 2015

He referred to the map and said that the map shows how the 69.25 acres, following another land use action (e.g. the annexation scheduled for a hearing at a later time to come before the Council), will be partitioned. In other words, there will be three parcels created, or at least the property owner has requested the creation of three parcels.

There is an agreement between the Jefferson County School District and the County to convey approximately 6.0 acres on the northwest side of the property to the County for future cemetery property. It has been disclosed that there is a shortage of land at the cemetery and they need to start finding land for expansion, so the proposal is that we retain the Open Space and Public Facilities zoning which would allow the cemetery. This property would ultimately be transferred by title.

The area in yellow on the map would be retained by the School District and would be zoned Open Space and Public Facilities. The red and yellow parcels would be in the Urban Growth Boundary and ultimately annexed into the City fairly soon. The area in purple is productive farmland. It is currently in production. The zoning will remain EFU-A1 on the County's zoning map. Part of the reason why the Oregon Department of Land Conservation and Development and others are supportive of the proposal is because we are protecting the farmland. He told the Council that he had made it very clear to the property owner that if they propose bringing in some of that farmland it would be very troublesome.

The City is working cooperatively with the School District and the County to resolve a problem on our zoning map and in our Comprehensive Plan that needed to be resolved for quite some time. He and the Jefferson County Planning Director have reviewed the Findings of Compliance and have found that the proposal is consistent with not only State law, but the City and County's Comprehensive Plan policies and implementing land use regulations. Based on these Findings staff is recommending the proposal be approved by the Council. He explained that the Jefferson County Commission will be considering this same proposal on April 1, 2015 as they are also required to make a decision on this. They are actually the final decision making body on the proposal before we provide notice to the State.

4. Applicant Comments

Mayor Embanks provided the opportunity for applicant comments at this time.

OFFICIAL MINUTES
CITY COUNCIL, CITY OF MADRAS
MARCH 24, 2015

There were no comments offered.

5. Proponent Testimony

Mayor Embanks provided members of the public in favor of the proposed amendments to the City's Comprehensive Plan and Zone Map to present comments at this time.

There were no comments offered.

6. Opponent Testimony

Mayor Embanks provided members of the public in opposition to the proposed amendments to the City's Comprehensive Plan and Zone Map to present comments at this time.

There were no comments offered.

7. Neutral Comments

Mayor Embanks provided members of the public with an opportunity to present comments or ask questions about the proposed amendments to the City's Comprehensive Plan and Zone Map at this time.

There were no comments or questions offered.

8. Rebuttal - Applicant

Because there were no comments presented, no rebuttal by the applicant was necessary.

9. Mayor Closed the Public Hearing

Mayor Embanks closed the Public Hearing at 7:54 p.m.

OFFICIAL MINUTES
CITY COUNCIL, CITY OF MADRAS
MARCH 24, 2015

10. Council Deliberation (Comments and/or Questions)

Councilor Schmidt requested clarification that the City's Urban Growth Boundary would go to the blue checkered line.

[Note: A copy of the map that was included in the City Council meeting packet and discussed this evening will remain on file at the Madras City Hall for viewing by the public upon request.]

Community Development Director Snead advised Councilor Schmidt that this was correct. He showed Councilor Schmidt both the existing and the proposed Urban Growth Boundary line. He reiterated that the area being brought into the City's UGB is a little over 10.0 acres.

Councilor Schmidt wanted to know how this would affect the homeowners along Bean Drive.

Community Development Director Snead assured Councilor Schmidt that those property owners had been given notice. The County's zoning ordinance stipulates that all property owners within 750 ft. were to be given notice of the proposal. He advised Councilor Schmidt that he had not received any phone calls or e-mail with questions regarding this proposal from property owners, although he did send out a notice pertaining to the annexation to all properties within 250 ft. and received four phone calls. The property owner's concerns were twofold:

- 1) Were they going to be annexed into the City; and
- 2) Would they be required to connect to the City sewer system?

The answer to the first question was "no" as the City is annexing only the School District property. The answer to the second question had been that this wasn't the case. There are certain circumstances that necessitate that, and those circumstances aren't even being contemplated or exist here.

He assured the Council that the Planning Commission hearing notice, the notice for tonight's hearing before the City Council, and the notice for the hearing before the County Commission on April 1, 2015 have all been published in the newspaper.

OFFICIAL MINUTES

CITY COUNCIL, CITY OF MADRAS MARCH 24, 2015

Councilor Brown advised Council that he has been following this for a long time and thinks that this is a good plan that will help everybody out.

11. **Council Takes Formal Action to Either Approve, Approve With Conditions, or Deny the Application, or Continue the Hearing to a Time and Date Certain**

A MOTION WAS MADE BY COUNCILOR TOM BROWN AND SECONDED BY COUNCILOR RICHARD LADEBY THAT THE CITY COUNCIL APPROVE [PLAN AMENDMENT] #PA-14-3. THE MOTION PASSED, 4/0, WITH COUNCILORS BROWN, LADEBY, MONTGOMERY, AND SCHMIDT VOTING IN FAVOR OF THE MOTION AND COUNCILOR LEACH ABSTAINING FROM VOTING ON THE ISSUE.

X **BUDGET COMMITTEE - UPDATE**

Finance Director McNamee explained that in order to have this recorded in the minutes on file, she just needs to give a verbal update that the City did not receive any letters of interest for the Budget Committee.

XI **SUPPLEMENTAL BUDGET HEARING**

A. **MULTIPLE SUPPLEMENTAL BUDGETS FOR FISCAL YEAR 2014-2015**

1. **Open Supplemental Budget Hearing**

Mayor Embanks opened the Supplemental Budget Hearing at 7:57 p.m.

2. **Staff Report**

Finance Director McNamee told the Council that a notice was published in the newspaper. She noted that she had enhanced the budget resolution. The third "whereas" within the budget resolution states that this Supplemental Budget Hearing is required under public hearing law because it creates two changes which creates new appropriation categories, and the third adjustment exceeds 15% transfer from Contingency, so all three adjustments do require a public hearing.

OFFICIAL MINUTES
CITY COUNCIL, CITY OF MADRAS
MARCH 24, 2015

3. Comments From the Public

Mayor Embanks provided those in attendance with an opportunity to present comments at this time.

There were no comments offered.

4. Close Supplemental Budget Hearing

Mayor Embanks closed the Supplemental Budget Hearing at 7:59 p.m.

5. No Action Required at This Time - Formal Action will be by Resolution

XII RESOLUTIONS

A. Resolution No. 07-2015

A resolution authorizing the City of Madras to apply for a Local Government Grant from the Oregon Parks and Recreation Department for the "Kenwood Park Playground Improvement Project" in the amount of \$12,690.00.

Public Works Director Hurd mentioned that the City has an opportunity to apply for some grant funding for park improvements in the Juniper Crest Subdivision.

He advised Council that there had been a survey conducted about a year or two ago by former Councilor Walt Chamberlain for this pocket park. The survey asked individuals what type of structures they would like to see in the park. A majority of the individuals that participated in the survey said that they wanted a swing set, a slide, and benches.

He indicated that the City can apply for and possibly receive Local Government Grant Funding to put those facilities in the park. Applications must be submitted by the end of May, 2015. The project cost is estimated at a little over \$20,000 for the improvements. This is a 60% - 40% grant match and so in order to apply, we need to do it by resolution. He told the Council that the resolution before them gives the City the authority to apply for funding in the amount of \$12,690.

OFFICIAL MINUTES

**CITY COUNCIL, CITY OF MADRAS
MARCH 24, 2015**

He explained that the budget that they are currently preparing for next fiscal year contains a backup plan in case they are not awarded the grant funding. If this is the case they have set aside enough to buy the equipment and can use volunteer forces to install it.

Councilor Leach declared a conflict of interest as he owns a home in this neighborhood.

A MOTION WAS MADE BY COUNCILOR RICHARD LADEBY AND SECONDED BY COUNCILOR TOM BROWN THAT COUNCIL APPROVE AND ADOPT RESOLUTION NO. 07-2015, AUTHORIZING STAFF TO APPLY FOR A LOCAL GOVERNMENT GRANT FOR THE KENWOOD PARK PLAYGROUND EQUIPMENT IN THE AMOUNT OF \$12,690. THE MOTION PASSED, 4/0, WITH COUNCILORS LADEBY, SCHMIDT, MONTGOMERY AND BROWN VOTING IN FAVOR OF THE MOTION, AND COUNCILOR LEACH ABSTAINING FROM VOTING ON THE ISSUE.

B. Resolution No. 08-2015

A resolution authorizing an increase in appropriation to recognize unanticipated revenues and expenses, and the transfer of appropriations within funds for Fiscal Year 2014-2015.

Finance Director McNamee advised Council that this budget resolution gears us up to be in compliance with our Debt Reserve requirements. During the budget process this last year, it was the first year that we became compliant with our Debt Reserves, and that this had to do with the new budget category which was reserved for future expenditures. Those reserved for future expenditures need to be budgeted within the Debt Reserve Fund and this allows us to transfer those funds.

She said that they had recently set up a separate depository with LGPI for our Debt Reserves specific and that was one of the audit recommendations, so that was done and these two small budget adjustments of \$6,038 and \$10,086 fulfill that.

The third budget adjustment is the Wastewater Operations Fund. This is over the 15% contingency threshold which is transferring \$20,000, but at the time of preparing the budget it was unforeseen for the sewer effluent funds carrying over from the previous year. There was an increase in golf maintenance and the golf course equipment, particularly the mowers, are requiring a lot more maintenance.

OFFICIAL MINUTES

**CITY COUNCIL, CITY OF MADRAS
MARCH 24, 2015**

A MOTION WAS MADE BY COUNCILOR RICHARD LADEBY AND SECONDED BY COUNCILOR JIM LEACH THAT COUNCIL APPROVE AND ADOPT RESOLUTION NO. 08-2015 AS PROPOSED. THE MOTION PASSED UNANIMOUSLY, 5/0.

XIII ANNUAL STRATEGIC IMPLEMENTATION PLAN - COUNCIL PRESENTS THEIR RECOMMENDATIONS TO THE CITY ADMINISTRATOR

City Administrator Burril told the Council that he is just looking for any questions the Council might have on the goals that are in the Annual Strategic Implementation Plan or if they saw any other items that needed to be focused on before the plan is finalized in April 2015. He asked Community Development Director Snead to place a copy of the proposed plan on the screen.

He indicated that there are eight goals, and provided the following comments on those goals. At times other Department Directors were asked to offer comments so any comments listed under the goals that do not specifically identify the speaker were made by City Administrator Burril.

Goal 1 Strategic Economic Development

1.1. Commence Update to MRC's Urban Revitalization Action Plan

They are looking at updating the Madras Redevelopment Commission's Urban Revitalization Action Plan this coming year.

1.2. Complete Goal 9, Economic Opportunities Analysis for Industrial Land Supply

The City entered into a process to say how much do we have, and how much can we justify needing? This would come out with some recommendations on potential Urban Growth Boundary Expansions or potential rezones or a combination of both. This process is in Phase I right now. Phase 2 would then be to initiate what additional lands can be brought in and start the process to bring them in should it be warranted.

OFFICIAL MINUTES

CITY COUNCIL, CITY OF MADRAS
MARCH 24, 2015

1.3 Issue Land Use and Building Permits for St. Charles
Madras Hospital Renovation

The latest update he had received had been that this might be a wintertime construction start date versus a summertime construction start date, so whatever dynamics are going on there, our goal will be to get them land use and building permits in this upcoming fiscal year.

1.4 Finalize Sign Code Amendments

Community Development Director Snead explained that his intention is to do as much of a surgical amendment as possible. He said that when he sent this to the City Attorney for review he knew of two Constitutional Violations, but it came back with six, so he is in the process of working that out. It has taken on a little bit more of a scope than he anticipated. There are a couple of changes that need to be made.

One of them is LED signs and the other has to do with the U.S. Highway 97 and "J" Street Project, as we worked with ODOT to create specific signage for specific properties with shared signage, so we need to create regulations and procedures to permit such signage for the businesses there. He mentioned that this will be the same as permitting signage on the Madras Municipal Airport for the Erickson Aircraft Collection. There is a portion of that sign that is available for businesses at the Madras Airport and we need to create procedures and regulations for those businesses to install signage on that sign.

Councilor Leach told Community Development Director Snead that he does not mean to undo past Council's work but he thinks that it would be beneficial for this Council to deliberate pole signs and whether or not they should be excluded when they are all over the place. He said that he would like that discussion to be included at some point.

Community Development Director Snead advised Councilor Leach that this is a policy discussion and that staff can facilitate that discussion when it comes to the Council.

1.5 Identify Means to Annex the Madras Airport and Consider Funding Such
Project within the City's Resources

OFFICIAL MINUTES

CITY COUNCIL, CITY OF MADRAS MARCH 24, 2015

City Administrator Burri explained that they have been looking at the Madras Airport to determine what can be done to bring it into the City limits, so we will have consistent zoning ordinances up there. This will enable us to streamline permitting, so it would no longer be necessary to send them through the County and through us to get permitted. Strategically it would be within the City's Zoning, tax base, and would help support City services.

1.6 Update the City's Public Improvement Design and Construction Standards

Public Works Director Hurd mentioned that the Improvement Design and Construction Standards have been adopted for a couple of years now and there are some changes that need to occur in the public improvement standards, so this will just be going through there and updating those things.

Goal 2 Financial Sustainability and Responsible Use of City Resources

2.1 Implement Revised Water and Wastewater Ordinances

Finance Director McNamee advised Council that they are going through the water and wastewater ordinances this current year. She mentioned that because the ordinances really do not take effect until July of each year, next year will be the year that they will be able to roll out the new ordinances and apply them in July 2016.

2.2 Ensure Compliance Requirements are met for Merchant Services by October 2015

Finance Director McNamee told Council that our new purchase cards have a chip on them. She explained that to accept credit cards by the City we have to go with new terminal services, so this is going to require us to go through some new compliance standards and she will have to get geared up for that because a majority of our payments are taken by credit card.

OFFICIAL MINUTES

CITY COUNCIL, CITY OF MADRAS MARCH 24, 2015

2.3 Implement Paperless Office Procedures for Filing Electronic Documents within the Finance Department

Finance Director McNamee advised Council that they had purchased e-filing software this year and will essentially be rolling that out to the full Finance Department. She mentioned that they are currently putting that in place with Accounts Payable and it is working great, so that was the first test. They are now going to roll that out with the rest of the components of finance.

2.4 Strive for a Clean Audit Opinion (on-time and accurate)

Finance Director McNamee told the Council that this is a goal every year. Fiscal events change every year, so she wants this to be another goal for next year.

2.5 Implement Policies for Contributed Property and Retainage

Finance Director McNamee mentioned that GASB stands for the Governmental Accounting Standards Board, and GASB 70 is the new standard where it says that we have to have measurements in place to determine the value of contributed properties.

She reminded the Council that Thomas Sales and Service just contributed property. The City actually has to place something in writing, approved from the City, as to what our policy is for valuing property and the retainage of that property.

2.6 Research and/or Implement Refinancing of State Loans if Interest Rates Permit Substantial Savings

Finance Director McNamee explained that a consultant had looked up our debt obligations and had told her that the City could be saving a lot of money with refinancing, so she is actually going to explore that opportunity next year to help us see whether or not a refinancing of our State loans would be beneficial.

OFFICIAL MINUTES

CITY COUNCIL, CITY OF MADRAS MARCH 24, 2015

2.7 Implement Electronic Platforms for City Council Meetings

Assistant to the City Administrator Puddy mentioned that this is being placed on the Annual Strategic Implementation Plan in the event that it gets to a point where the City needs to purchase a certain number of ipads that may need budget consideration for next year. There is still a learning curve on those devices, so we are just leaving some opportunity in the budget and in the objectives for next year.

She told Council that she will probably be bringing a staff report to them in a month or so, asking for their budget considerations. Based on what their needs are and how many ipads we might be looking at, this might be doable this fiscal year.

2.8 Central Electric Coop Franchise Agreement

No comments were presented at this time.

Goal 3 A Safe, Healthy and Environmentally Responsible Community

3.1 Develop and Implement Airport Noise Regulatory Protections in City and County Ordinances

This is a protection over the Airport, so if you want to see it grow and invite other businesses here and maintain that use, this is very strategic and is something that is appropriate to do. Other communities have fought this. As the Airport got busier after it grew, individuals didn't want the noise and the Airport there any longer, so we need to choose upfront as to whether we want to protect that asset as part of our economic development opportunities going forward as a community.

3.2 Implement Dangerous Building Ordinance

This ordinance needs to be updated through our Nuisance Abatement code, so that we have proper authority and limited liability to the City when asking property owners to take care of any derelict or dangerous buildings that are creating nuisances or attracting nuisances within the City.

OFFICIAL MINUTES

CITY COUNCIL, CITY OF MADRAS MARCH 24, 2015

3.3 Start Update to the Police Policy and Procedures Manual for Public Safety Service

The Police Department has a policy and procedures manual they wanted to get started on in FY 2014-2015, but they have been heavily involved in recruitment this year, so have decided to move it to this next fiscal year. This is kind of the same situation that happened in Finance Director McNamee's Department as they had some turnover and movement in personnel, so those things have moved a bit.

Goal 4 Effective Relationships with Local, State, and Federal Partners

4.1 Enhance MRC Annual Report to Communicate the Accomplishments of the MRC and Financial Records, and Give Annual Report Presentation to the City Council on an Annual Basis

This is a reporting goal that Community Development Director Sneed and Finance Director McNamee will be working on to help communicate to the Council what things the Madras Redevelopment Commission have done and is planning to do.

4.2 Police Department - Police Chief Interagency Relation Focus

This pertains to multi-agency relations, whether it is with the Sheriff's Department, State Police, Deer Ridge Corrections, and like facilities.

Goal 5 Employee Development and a Supportive Work Environment

5.1 Research and Implement Employee Recognition Program

Assistant to the City Administrator Puddy is going to be working on implementation of the Employee Recognition Program.

5.2 Launch an Inter-agency Quarterly Newsletter

This would be Council to staff and staff interagency.

OFFICIAL MINUTES

CITY COUNCIL, CITY OF MADRAS MARCH 24, 2015

5.3 Draft and Implement Public Works Department Manual

No comments were offered at this time.

5.4 Police Department - New Positions (2 each) Complete Academy and Trained to Solo Status

The Police Department will be sending two of the new recruits to the academy this year. The Police Chief has indicated that this will occur in June through October. They are currently working with senior officers.

Police Chief Stanfill added that they have all three new hires working with their assigned individual field training officers and the two that are uncertified will be going off to the academy in June. This is a four month academy. When they get back in October there will probably be another month of training before they are solo.

5.5 Development of Firing Range Master

Police Chief Stanfill explained that they are training one employee to be a Range Master and a Defensive Tactics Instructor, which he has been for years, so this is kind of a pass the baton and train new individuals to take over those programs.

5.6 Development of use of Force Defensive Tactics Instructor

Comments pertaining to this issue were mentioned under 5.5.

Goal 6 Responsive and Effective Leadership

6.1 Update the City's Charter (Preparations for Citizen Vote in November 2016)

Council has asked for review of the Charter and potential amendments which will require full legal review and recommendations. He said that he knows that the City Recorder has also conducted a review and provided

OFFICIAL MINUTES

CITY COUNCIL, CITY OF MADRAS MARCH 24, 2015

recommendations. Staff wants to summarize those and review them with Council.

Goal 7 An Infrastructure That Prepares for Tomorrow

7.1 Complete Transportation System Plan Update

We are getting close to a signed Intergovernmental Agreement which he believes will come before the Council in April. A lot of the work will take place this next fiscal year, with public outreach and community hearings.

7.2 Assist Public Works Department Wastewater Master Plan Update (Public Hearings and Findings for Comprehensive Plan Amendment)

There were no comments presented at this time.

7.3 Complete the Wastewater Master Plan Update

We will want to finish the Wastewater Master Plan Update and get it into the City's Comprehensive Plan to formalize it.

7.4 Complete Construction of the Safe Routes to School Project (Buff Street to McTaggart Road)

The Safe Routes to School Project will start this summer and that was very deliberate so we would not interrupt school operations.

7.5 Construct Phase 2 of the Desert Peaks Golf Course Paved Cart Path Project

He and Public Works Director Hurd are working closely with Dean Ditmore at the golf course. Councilor Schmidt has given them some feedback from his days operating and maintaining golf courses.

We will have some proposals to look at on the Management Agreement during the Council Work Session in May 2015, with some construction

OFFICIAL MINUTES

CITY COUNCIL, CITY OF MADRAS MARCH 24, 2015

projects being proposed in the upcoming budget to continue improvements there.

7.6 Install Lighting on Chestnut Street

Public Works Director Hurd explained that they have actually proposed in this budget to install one street light at the intersection of 10th and Chestnut, and in the next budget proposal they are proposing that the second light be installed down near the highway. He told the Council that they will see the request for the first light in their next City Council meeting packet.

7.7 Apply for Funding for the Skate Park to Fishing Pond Trail Project, Phase 2

Public Works Director Hurd indicated that this is the last segment to get a connection from the Skate Park down to the Fishing Pond. They are going to be applying for funding for the first phase towards the end of this fiscal year through the Recreational Trails Program, but then that also includes applying for the second phase of the funding through the Local Government Grant Program.

7.8 Reconstruct 7th Street From "D" Street to "E" Street

Public Works Director Hurd advised Council that Seventh Street between "D" Street and "E" Street is badly deteriorated, so they need to dig that out and replace it this following year.

7.9 Construct the Kenwood Park Playground Equipment Project

Public Works Director Hurd reminded the Council that they just approved a resolution that would allow them to apply for grant funding.

7.10 Construct the Highway 97 Sidewalk Improvement Project at "L" Street

Public Works Director Hurd explained that this project includes the need for a section of sidewalks between the Madras South Y Complex and

OFFICIAL MINUTES

CITY COUNCIL, CITY OF MADRAS MARCH 24, 2015

motorcycle shop, where there isn't any sidewalks. He said that he has been working with ODOT to acquire some grant funding to install this last piece of sidewalk.

7.11 Design the Courthouse to Madras Skate Park Pedestrian Project

Public Works Director Hurd advised Council that as kind of a condition of development for the Courthouse, the County is to donate a certain amount of funding so the City can construct a sidewalk improvement project from Second Street, either along "H" Street or "G" Street down to the Skate Park. This is kind of like a mitigation for the area of the park that they will be taking away. He explained that they will design that phase next year, but will not have the full funds in place to construct it.

7.12 Repair Windows on the North Hangar Building, Phase I

Public Works Director Hurd indicated that they are proposing to do another round of windows on the North Hangar.

7.13 Analyze and Implement one or More of the Preferred Alternatives Recommended by the Citizen Task Force on Transportation Funding

There were no comments presented at this time.

Goal 8 Customer Satisfaction

8.1 Develop Industrial Development Guide (More Detailed Document than the Brochure that was recently created)

No comments were presented.

8.2 Citizen Survey on Customer Service for City Services

No Comments were presented at this time.

OFFICIAL MINUTES

CITY COUNCIL, CITY OF MADRAS MARCH 24, 2015

City Administrator Burril explained that this is what staff is proposing under the goals that Council outlined for them to try to achieve this upcoming fiscal year. He told the Council that some of the feedback that came from them has been incorporated into this plan. He asked if staff is on track, if they are missing anything, or if there is anything that is objectionable that they see.

He mentioned that staff has a tendency of probably signing up for more than we can get done, but he likes to set the bar as high as possible and push.

Mayor Embanks said that he doesn't know if this fits in, but he thinks that we have two items that we really need to do some planning on in the City as a whole. One of them is the Eclipse in 2017 because this is going to bring between 6,000 and 12,000 people to this area on that Eclipse date. He mentioned that he has already talked to Police Chief Stanfill about coordination with the Sheriff's Department and State Police as far as the highway out there. We are going to have people at the Airport and people camped all over, so it is not just a City issue. In his opinion, we should bring the County in on this because a lot of these people are going to be camping on people's farm ground which means that the County is going to have an issue outside the City.

He suggested the need to get together with the County and law enforcement, and with possibly some of the smaller cities in Jefferson County and do some coordination. It is a couple of years off, but it is going to be a big event and it is going to come on us very quickly and then be gone, because once the Eclipse is over those folks are all going to want to leave right away.

The other item that he is trying to get the State Emergency Management and Redmond together on, with the City of Madras and the other cities, has to do with the refugees from the Cascadia Subsidence Event, which could happen right now or thirty years from now, we don't know. The plan right now is to bring those refugees to Redmond. They are probably going to bring most of them by vehicle because they are not going to have the ability to move them by air. This means that we are going to have convoys of people coming through town going out to the Fairgrounds in Redmond if they continue with the plan that they presently have.

He mentioned that the Mayor of Redmond is involved in this. We have not been involved in it at all. He said that he kept trying to stick his foot in the door with the Mayor of Redmond, but he has not been really responsive when it comes to that. He suggested that we may have to go through the Emergency Management folks at the State to make sure that we get included in the talks so we will know what their plans are. There are all sorts of guesses over the whole spectrum of how much damage the earthquake will cause and whether there will be any bridges in fact between Portland and U.S. Highway

OFFICIAL MINUTES

CITY COUNCIL, CITY OF MADRAS
MARCH 24, 2015

26. If the bridges are all in tact then people can get here. You are not only going to have people coming over from Portland just to get away from Portland, but you will supposedly have all of the refugees coming over as well.

He mentioned that he does not think that all of their plans are real complete and there are a lot of things that they haven't thought of. In his opinion, we need to get involved so we know what is going to happen when it happens. There is nothing that says that this thing is going to happen on a warm and sunny day in the summer. It could happen in the middle of winter.

This is something that may not be on the Annual Strategic Implementation Plan, but in our thinking we need to get some notes down and get started on some of this stuff, and try to get everyone that is going to be involved in this together so we are talking about it now instead of waiting until it happens.

XIV AUTHORIZATION TO SUBMIT A "NOTICE OF INTENT TO APPLY FOR FUNDING" FROM THE OREGON PARKS AND RECREATION DEPARTMENT, PRESERVING OREGON PROGRAM GRANT, FOR THE PURCHASE AND INSTALLATION OF WINDOWS FOR THE WORLD WAR II NORTH HANGAR

Public Works Director Hurd explained to the Council that before them is a "Notice of Intent to Apply for Funding" for the second phase of the window repairs on our North Madras Hangar. This year they completed phase I. They spent about \$20,000 to replace the bottom row of windows.

He mentioned that we are in the process of getting our nomination for the National Historic Registry. He said that we have gone through the State process and been approved by the State, but have not yet been approved by the National Historic Registry, but it will happen. One of the benefits of getting on the State Historic Registry and the National Historic Registry is that we can apply for grants through these funding sources to fix up the building.

A Preserving Oregon Grant provides up to \$20,000. It is a 50% - 50% match. He told the Council that we have to repair the windows. They are proposing \$20,000 for the following fiscal year, so why not try to get another \$20,000 out of a grant to continue on.

A MOTION WAS MADE BY COUNCILOR JIM LEACH AND SECONDED BY COUNCILOR TOM BROWN THAT COUNCIL AUTHORIZE THE STAFF TO SUBMIT A NOTICE OF INTENT TO APPLY FOR AN OREGON PARKS AND RECREATION DEPARTMENT PRESERVING OREGON GRANT FOR THE NORTH WORLD WAR II

OFFICIAL MINUTES

CITY COUNCIL, CITY OF MADRAS
MARCH 24, 2015

HANGAR WINDOW REPLACEMENT PROJECT, PHASE 2, IN THE AMOUNT OF \$20,000. THE MOTION PASSED UNANIMOUSLY, 5/0.

XV OREGON DEPARTMENT OF TRANSPORTATION (ODOT) SPEED ZONE REPORT AND RECOMMENDATION - U.S. HIGHWAY 26: JEFFERSON STREET TO CHERRY LANE AND CEDAR STREET TO JEFFERSON STREET

Public Works Director Hurd advised Council that a few months back Karen McCarthy, the owner of the nursery at the top of the hill (North of Madras) came to the Public Works and Parks Committee meeting with a concern about speeding and wanted to know if there was anything that could be done to try to reduce speeds. Since she opened she has been concerned about traffic being able to get in and out without getting hit.

The Public Works and Parks Committee put a call into ODOT to see if there was anything that could be done. ODOT came out and did a speed zone study and found that the speeds could be reduced if the City chooses to do so. Right now the speed zone, by the road he likes to call Mazatlan Drive (aka the no name road), goes from 45 mph to 55 mph and stays 55 mph all of the way North out of town. What ODOT is saying that we can do is that we can extend the 45 mph speed zone just up beyond Jefferson Street, and at that point they would be willing to go to 50 mph from there.

This may not be entirely what everybody wants, but what we have been told is that you take a little bite now and can reanalyze it a year from now to see if it can be reduced even further.

He told the Council that the Public Works and Parks Committee approved this recommendation and forwarded it to them for consideration and approval.

Councilor Leach asked Public Works Director Hurd to show them on the map where the 55 mph speed zone would turn to 50 mph.

Public Works Director Hurd explained that if you are coming into town, it's 55 mph all of the way down until you reach Mazatlan Drive, and then from there it goes to 45 mph. The proposed change would be to slide the 45 mph speed zone farther North, so as you are coming into town you would hit 50 mph North of Cherry Lane, instead of staying at 55 mph, and you would stay at 50 mph until you got to about 100 feet North of Jefferson Street and then the speed would reduce down to 45 mph, as opposed to 55 mph from North of Cherry Lane all of the way down to Mazatlan Drive. He mentioned that the existing 35 mph speed would not change.

OFFICIAL MINUTES

CITY COUNCIL, CITY OF MADRAS MARCH 24, 2015

Councilor Leach asked Janet Brown if she thought that our Industrial Park businesses would like to have a say in this.

Janet Brown told him that they might, especially Bright Wood.

Councilor Montgomery indicated that Karen McCarthy wanted to talk to him about the speed situation, and that he wasn't even sure that she knew that he was a City Councilor. She claimed that several individuals would like to see the speed lowered, but as he understands it there is nothing that we can do to make it lower.

Councilor Ladeby mentioned that going North traffic is slowed down to 50 mph, so he doesn't see that it would be a big deal to slow the traffic down that is going South. If trucks are going in and out they are going to want slower traffic anyway so he sees this as a better safety aspect rather than a hindrance. You are only talking about a quarter of a mile or a half a mile at the most.

Public Works Director Hurd noted that it is only a 5 mph reduction.

Police Chief Stanfill explained that it is a traffic safety nightmare up there with people coming in and out of the mill off of Depoe Road, etc. It is pretty chaotic especially at shift changes. As we all know, if we have a speed limit of 55 mph, people are going to go 65 mph, so the more we can reduce it down, the better off we are going to be as a City. Also, as they are coming into town, driving South it slowly progresses them to a lower speed versus going from a dramatic 55 mph to 35 mph, which is problematic for drivers.

Mayor Embanks noted that when you pull out of Cherry Lane headed into town you had better get up to speed fast or you are going to get run over if you don't. Those folks do not slow down until they actually get over the hill so anything that we can do to slow them a little bit more is, in his opinion, a positive.

Councilor Ladeby wanted to know that if people have concerns about the industries up there, if it would be better to postpone this until the next meeting and let the business owners have a say, or if we should move forward? He said that he sees this as a positive thing, but if we are concerned that the industries up there may have concerns about it, we should give them an opportunity to weigh in on it and talk about it at the next meeting.

Councilor Brown indicated that he would be in favor of doing that.

Councilor Leach agreed.

OFFICIAL MINUTES

CITY COUNCIL, CITY OF MADRAS MARCH 24, 2015

Public Works Director Hurd offered to send out notification to all of the business owners up there, and place this on the next agenda.

Councilor Montgomery reminded Public Works Director Hurd that he had described how that Speed Study worked and what their findings were in some detail at the other meeting. He suggested that it might be worthwhile going over that a little bit because it sounded to him like this is all we are going to get from ODOT.

Public Works Director Hurd agreed that they are not going to get a reduction farther than what ODOT is proposing. For example, if you want to go to 45 mph you are not going to get that. It is all based on 85% of what the speeds are up there. What they have said is that based on this data, we would recommend that we can reduce it down from 55 mph to 50 mph. If we want to go lower, the approach has always been, get what you can get now, then come back in another year or two and ask them to do another study and see what 85% of the speeds are doing then. If they are doing over what the speed limit is then ODOT can make a recommendation that we drop it again. This was kind of the same approach that we took on Culver Highway at "H" Street to try to get that reduced.

XVI ADDITIONAL COMMENTS, ANNOUNCEMENTS, AND DEPARTMENT REPORTS

▶ POLICE DEPARTMENT REPORT

Police Chief Stanfill announced that the new hires have been sworn in. They started and are currently training. It has been extremely active over at the Police Department with all of the training that is occurring. He told the Council that they are training them as if all of them are rookies, which in his opinion is the way to go, even though they have someone that is more of a veteran and two of them are from the Jail and have some experience. Things are going well and progressing well.

▶ FINANCE DEPARTMENT REPORT

Finance Director McNamee advised Council that within the Finance Department their primary focus is on Budget. She mentioned that they will see an advertisement in the newspaper this week for the first Budget Committee meeting, which is going to be held on April 9, 2015.

They are proposing, as a cost saving measure, to do the Budget packets this year electronically. She told the Council that as they will recall last year they just

OFFICIAL MINUTES

CITY COUNCIL, CITY OF MADRAS MARCH 24, 2015

pulled the budget worksheets up on the projector during the Budget Work Sessions and kind of went through them that way. She mentioned that she is planning to do this same format without having the binders. Council will have them electronically through "Drop Box". They will have bookmarks on each fund level. She advised Council that if they have any objections to that format, she can still print a hardcopy binder if they would like a hard copy of the budget this year.

They are planning on distributing the proposed budget on April 1, 2015, which is next Wednesday.

Councilor Leach said that he cannot remember if she did this or not, but when it comes to the Community Project Grants he wanted to know if she could give them a worksheet of who applied, and how much they applied for, just something that they can take notes on to help them make this decision.

Finance Director McNamee agreed to put that in their packet next Wednesday with the budgets. She said that she included the last four years of what the entities actually received and what they asked for. She indicated that she had also included a blank approved column so Council could track it that way and inserted in the approved column the obligations that we are already set for out of those funds (e.g. Restroom at the Fairgrounds).

She told the Council that we did get quite a few applications this year. She said that she sent out community requests to present on the night of April 9, 2015 and asked that they keep each presentation to five minutes or less.

► CITY ADMINISTRATOR COMMENTS

City Administrator Burril advised Council that he is planning to be out of the office from March 25, 2015 to March 27, 2015.

He reminded the Council that the City Council - County Commission meeting is scheduled for tomorrow, March 25, 2015 at noon at the Jefferson County Annex. He mentioned that he had not had an opportunity to review that agenda.

It appeared that Council members did not receive a copy of the meeting agenda so City Recorder Coleman agreed to contact the County to get them one.

City Administrator Burril announced that the V-Tel Conference with our lobbyist, Doug Riggs, for the Central Oregon Cities Organization is scheduled for Thursday morning at 7:00 a.m. The Council has submitted a Transportation

OFFICIAL MINUTES

CITY COUNCIL, CITY OF MADRAS
MARCH 24, 2015

Funding letter to them. He said that he has also submitted a letter of support for a bill that would allow serving sewer to developments on our Airport, outside of the Urban Growth Boundary, but still on the City's Airport property.

He reported that Janet Brown is sending him correspondence and working on correspondence that supports Unmanned Aerial Testing Facilities and improvements. Senator Betsy Johnson had mentioned that she thought that Madras was very well located for being one of the nearest operating Airports to one of these in the State, so she was very supportive of seeing some funding set aside at the State level.

We have multiple efforts going on. He noted that Thursday mornings keeps Council up-to-date on where things are at. Central Assessment has been a big issue that has been getting discussed. He advised Council that staff will do their best to keep them apprised of those as they pop up. There will probably be another V-Te! Conference in two weeks after that (possibly on April 9, 2015).

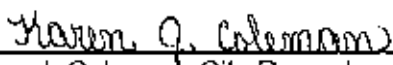
► CITY COUNCIL COMMENTS

Councilor Schmidt reported that he had been given the opportunity to sit in on one of the job interviews for Public Works and they chose a very qualified individual whose impact has been sorely needed and greatly appreciated by all of the patrons of the golf course. He is going about it in the correct manner. He told Public Works Director Hurd that this individual is making the golf course look really good. He is a very personable individual. He asked for volunteers. They talked about having the waivers last year and it is all setup, all done, and he put out an e-mail. Individuals are very excited about helping. He told Public Works Director Hurd that he has an excellent employee.


Councilor Brown announced that Coffee Cuppers will be at the Erickson Museum this Friday morning.

XVII ADJOURN

The City Council meeting was adjourned at 8:48 p.m.



Karen J. Coleman, City Recorder



Royce Embanks, Mayor