

DOCUMENTS

LOCAL

Madras
(1979a)

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Department of Land Conservation and Development

1175 COURT STREET N.E., SALEM, OREGON 97310 PHONE (503) 378-4926



October 18, 1979

The Honorable Ray Murray
Mayor, City of Madras
416 6th Street
Madras, OR 97441

Dear Mayor Murray:

On October 11, 1979, the Commission reviewed City of Madras' acknowledgment request for compliance with the Statewide Planning Goals.

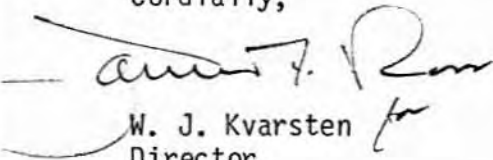
The Commission accepted the Department's recommendation to offer to continue your request for 120 days. The City should notify the Department in Salem by November 15, 1979, of your decision to accept the Commission's continuance offer. The 120-day period will commence upon Department receipt of your written acceptance, and the attached Continuance Order will be issued.

The purpose of this order is to allow the City of Madras adequate time to correct identified deficiencies relative to Goals 5, 10, 11 and 14. Resolution of these conflicts will give the Commission the opportunity to acknowledge your plan.

In taking its action (see attached), the Commission expressed its appreciation to the City officials and citizens for a commendable plan and implementing measures. The Commission also agreed to continue the City's 1979-80 Maintenance Grant eligibility while the necessary changes are being made.

Please contact your Field Representative, Brent Lake, if you have any further questions on the continuance offer or completing your plan and ordinance revisions.

Cordially,


W. J. Kvarsten
Director

WJK:JK:mh

Enclosures

cc: Jefferson County Court
Robert Martin, County Coordinator
Dan Meader, Planning Consultant
Brent Lake, Field Representative

The first part of the report deals with the general situation of the country and the progress of the work during the year. It is followed by a detailed account of the various projects and the results achieved. The report concludes with a summary of the work done and a list of the names of the persons who have taken part in it.

The work has been carried out in accordance with the programme of work approved by the Council of the League of Nations. It has been carried out in a spirit of co-operation and in the most efficient manner possible. The results of the work are of great importance and will be of great value to the League of Nations.

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BEFORE THE LAND CONSERVATION AND DEVELOPMENT COMMISSION
OF THE STATE OF OREGON

IN THE MATTER OF THE CITY OF)
MADRAS' COMPREHENSIVE)
PLAN AND IMPLEMENTING MEASURES)

CONTINUANCE
ORDER

This matter came before the Commission on a request from the City of Madras on October 11, 1979, for acknowledgment of compliance pursuant to ORS 197.251 and the Commission Acknowledgment Rule, OAR 660-03-000 to 660-03-035. The Commission, having fully considered the City's comprehensive plan and implementing measures, comments and objections of interested persons and the report of the Department of Land Conservation and Development, now enters its:

Findings of Fact

1. The City of Madras' comprehensive plan and implementing measures comply with Statewide Planning Goals 1, 2, 6-9 and 12-13 for the reasons set forth in Section IV of the Department's report which is attached hereto and incorporated herein.
2. The City's comprehensive plan and implementing measures do not yet comply with Statewide Planning Goals 5, 10, 11 and 14 for reasons set forth in Sections IV and V of the Department's report.
3. A continuance would likely enable the City to obtain an acknowledgment of compliance more expeditiously than would a denial of acknowledgment because the nature of the revision needed is minor and will not require extensive Department analysis and notice actions which are initiated when a jurisdiction resubmits its plan and implementing measures following a denial.

4. A denial of acknowledgment may seriously disrupt the City's local planning effort because a denial would likely lead to undue public loss of confidence in the use and legal effect of the City's plan and implementing measures.
5. The Department of Land Conservation and Development and the City have agreed that the additional work towards compliance with Statewide Planning Goals 5, 10, 11 and 14 can be completed in 120 days.
6. The City of Madras has consented to a continuance of its Acknowledgment request (see Appendix).

Conclusions

1. The comprehensive plan and implementing measures of the City of Madras require additional planning work in order to be considered by the Commission to be in compliance with the Statewide Goals.
2. Additional time is necessary for the City to complete additional planning work necessary to bring its comprehensive plan and implementing measures in compliance with all Statewide Goals.
3. The additional planning work on comprehensive plan and implementing measures can reasonably be completed in 120 days.

THEREFORE, IT IS HEREBY ORDERED THAT:

In accordance with ORS 197.251 and the Commission's Acknowledgment Procedure Rule, OAR 660-03-000 to 660-03-035, the acknowledgment request of the City of Madras is continued and the City is granted 120 days in which to complete the additional planning work set forth in this order.

Dated this _____ day of _____, 1979

W. J. Kvarsten, Director
for the Land Conservation
and Development Commission

WJK:ER:mh
638A
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The first part of the report deals with the general situation of the country. It is a very interesting and detailed account of the various aspects of the country's life. The author has done a great deal of research and has gathered a wealth of material. The report is well written and is a valuable contribution to the study of the country.

The second part of the report deals with the economic situation. It is a very interesting and detailed account of the various aspects of the country's economy. The author has done a great deal of research and has gathered a wealth of material. The report is well written and is a valuable contribution to the study of the country's economy.

The third part of the report deals with the social situation. It is a very interesting and detailed account of the various aspects of the country's social life. The author has done a great deal of research and has gathered a wealth of material. The report is well written and is a valuable contribution to the study of the country's social life.

The fourth part of the report deals with the political situation. It is a very interesting and detailed account of the various aspects of the country's political life. The author has done a great deal of research and has gathered a wealth of material. The report is well written and is a valuable contribution to the study of the country's political life.

The fifth part of the report deals with the cultural situation. It is a very interesting and detailed account of the various aspects of the country's cultural life. The author has done a great deal of research and has gathered a wealth of material. The report is well written and is a valuable contribution to the study of the country's cultural life.

The sixth part of the report deals with the environmental situation. It is a very interesting and detailed account of the various aspects of the country's environmental life. The author has done a great deal of research and has gathered a wealth of material. The report is well written and is a valuable contribution to the study of the country's environmental life.

The seventh part of the report deals with the international situation. It is a very interesting and detailed account of the various aspects of the country's international relations. The author has done a great deal of research and has gathered a wealth of material. The report is well written and is a valuable contribution to the study of the country's international relations.

The eighth part of the report deals with the future of the country. It is a very interesting and detailed account of the various aspects of the country's future. The author has done a great deal of research and has gathered a wealth of material. The report is well written and is a valuable contribution to the study of the country's future.

LAND CONSERVATION AND DEVELOPMENT COMMISSION

ACKNOWLEDGMENT OF COMPLIANCE

City of Madras

DATE OF REQUEST: June 28, 1979 DATE OF COMMISSION ACTION: October 11, 1979

I. REQUEST: Acknowledgment of Compliance with the Statewide Planning Goals for the comprehensive plan and implementing measures.

II. SUMMARY OF RECOMMENDATIONS:

A. Staff:

Recommends that the Commission offer to continue the City of Madras' acknowledgment request for 120 days to amend the plan and implementing measures to be in compliance with Statewide Planning Goals 5, 10, 11 and 14.

B. Local Coordination Body:

None received, however County has adopted the plan.

FIELD REPRESENTATIVE: Brent Lake
Phone: 389-2253

COORDINATOR: Robert Martin
Phone: 475-3147

LEAD REVIEWER: Lloyd Chapman
Phone: 378-4932

Date of Report: September 27, 1979

III. BACKGROUND INFORMATION:

A. GEOGRAPHY:

The City of Madras, County seat of Jefferson County, is located in the center of the County, 40 miles north of Bend and 90 miles south of The Dalles on U.S. 97.

B. GOVERNING BODY:

The City is governed by a seven-member City Council headed by the Mayor.

C. POPULATION:

1978 - 2,180
1975 - 1,970
1970 - 1,689
1960 - 1,515
1950 - 1,258
1940 - 412

D. PLAN AND IMPLEMENTING MEASURES:

City of Madras Comprehensive Plan, Ord. 376, adopted June 20, 1979, adopted by Jefferson County, Ord. No. 0-98-79, June 27, 1979.

City of Madras Zoning Ordinance, No. 377, adopted June 28, 1979.

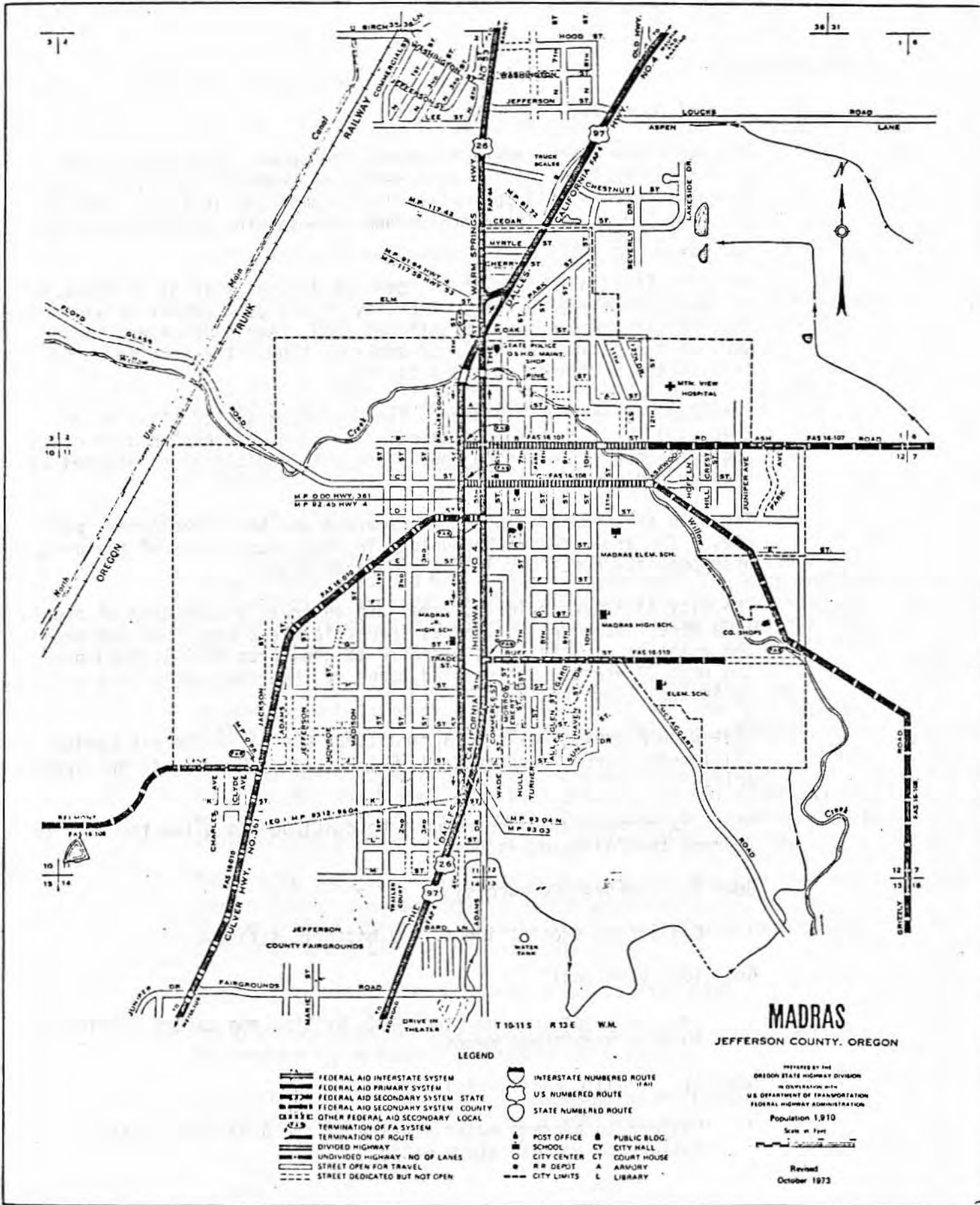
City of Madras Subdivision Ordinance, No. 378, adopted June 28, 1979.

Ordinance adopting the National Flood Insurance Program, No. 360, May 10, 1977.

E. COMPLIANCE STATUS:

In December 1976 the City received a planning extension and a compliance date of June 30, 1978. Subsequent planning extensions and compliance date changes were granted.

The City received a planning assistance grant (jointly with Jefferson County, Metolius and Culver) for approximately \$9,000 in July 1977.



MADRAS

JEFFERSON COUNTY, OREGON

PREPARED BY THE
 OREGON STATE HIGHWAY DIVISION
 IN COOPERATION WITH
 U.S. DEPARTMENT OF TRANSPORTATION
 FEDERAL HIGHWAY ADMINISTRATION
 Population 1,910
 Scale as 1961
 Revised
 October 1973

- LEGEND**
- FEDERAL AID INTERSTATE SYSTEM
 - FEDERAL AID PRIMARY SYSTEM
 - FEDERAL AID SECONDARY SYSTEM STATE
 - FEDERAL AID SECONDARY SYSTEM COUNTY
 - OTHER FEDERAL AID SECONDARY LOCAL
 - TERMINATION OF FA SYSTEM
 - DIVIDED HIGHWAY
 - UNDIVIDED HIGHWAY NO. OF LANES
 - STREET OPEN FOR TRAVEL
 - STREET DEDICATED BUT NOT OPEN
 - INTERSTATE NUMBERED ROUTE (FAH)
 - U.S. NUMBERED ROUTE
 - STATE NUMBERED ROUTE
 - POST OFFICE
 - SCHOOL
 - CITY CENTER
 - R.R. DEPOT
 - CITY LIMITS
 - PUBLIC BLDG.
 - CITY HALL
 - COURT HOUSE
 - ARMY
 - LIBRARY

IV. FINDINGS:

A. General Overview:

The Jefferson County area of Central Oregon was first settled by whites in the 1860's. The area relied on ranching and little development occurred until the railroad was completed in 1911. This was the year Madras was incorporated and also saw the beginning of irrigation in the area.

The City lies in a basin at the head of Willow Creek at an elevation of approximately 2300 feet. The City serves as a retail service center for the surrounding agricultural land. Agriculture and timber provide the basis for the local economy, though the work force in this sector declined from 1960 to 1970.

Tennison Engineering's Planner, Dan Meader, assisted the City in preparing the plan and ordinances. The plan was developed in close cooperation with Jefferson County and both jurisdictions adopted the plan by ordinance.

The plan surveys planning area resources and sets development policies. The area is somewhat unique in that nearly half of the urban area population resides in the urbanizable area.

The city limits contain 750 acres and an urban growth area of nearly 1400 acres including the Madras Industrial Park have been approved. The existing population is expected to grow from 4000 to 5600 over the next 20 years. One hundred acres of the urbanizable area are in agricultural production.

Statewide Planning Goals 3 (Agricultural Lands), 4 (Forest Lands), 15 (Willamette River Greenway) and 16-19 (Coastal Goals) are not applicable.

Staff is recommending the request be continued to allow the City to address the following issues:

Goal 5: (Natural Resources)

Failure to protect identified historic sites.

Goal 10: (Housing)

Failure to project housing needs by type and assure sufficient land to meet those needs.

Goal 11: (Public Facilities)

Failure to address water service in the urbanizable area.
Failure to address storm water.

Goal 14: (Urbanization)

Failure to demonstrate residential need for the urbanizable area.

B. Applicable Goals:

1. Citizen Involvement: (Goal 1)

The Madras citizen involvement program was approved in December 1976. The program calls for involvement in all phases of the planning process. The major techniques relied on were workshops and public hearings with an emphasis on publicity, notice and communication (Plan, pp. 5-7).

City policy requires all future plan amendments (minor and major) to use the adopted citizen involvement program (Plan, pp. 95-6).

Conclusion: The City of Madras complies with Goal 1.

2. Land Use Planning: (Goal 2)

The City of Madras has prepared a comprehensive plan based on data, inventories and background information. The Plan includes policy choices made by the City and generally includes reasons for the decisions made. Subdivision and zoning ordinances have been adopted to carry out the plan.

The Oregon Business Planning Council has objected to the acknowledgment based on definitions of "partition" and "subdivision" contained in the zoning and subdivision ordinance.

The plan includes an Administrative Procedures Section (pp. 94-100) which requires plan review every two years and establishes revision procedures. Procedures for revision of the urban growth boundary are also included in this section.

The agency involvement program is included in the plan and its use in future plan amendments is required (Plan, pp. 95-96). The Housing Division is the only state agency to object to the plan (see discussion under Goal 10).

Conclusion: The City of Madras complies with Goal 2.

The City has prepared inventories and adopted policies and implementation measures consistent with Goal 2.

The differences in definitions between the Ordinances and ORS ch 92 are insignificant and not a Goal violation.

The Plan's Administrative Procedures Section is an excellent example of a format which assures that important Goal 1 and 2 issues are addressed in future plan revisions.

3. Open Spaces, Scenic and Historic Sites, and Natural Resources:
(Goal 5)

The acknowledgment request contains the following to comply with this Goal:

Factual Information: Plan, pp. 16, 17 and 17a

Plan Policies: Plan, p. 68

Implementation: Zoning Ord. p. 17, Flood Plain Ordinance

Inventory

The plan indicates that most Goal 5 resources are not found in Madras (pp. 16-17). Only open spaces, wildlife habitat, scenic views, groundwater and historic resources are found in the City (Plan, pp. 16-17). The City has surveyed open space, wildlife habitat and scenic resources and found no unique or particularly valuable areas or resources within the planning area.

An objection from 1000 Friends of Oregon states that the inventories of open space and natural resources are inadequate.

Six historic sites found on the Statewide Inventory have been identified and mapped (Plan, pp. 17 & 17a).

Policies

The following plan policies (p. 78) have been adopted:

- "a) Preserve the scenic vistas afforded by the Cascade Mountain Range.
- b) Preserve the old city hall and jail.
- c) Continue to support and cooperate with the Jefferson County Museum Association."

The second story of the old city hall is being converted into a museum operated by the Jefferson County Museum Association (Plan, p. 17).

The 1000 Friends objection also states that these policies are inadequate to protect resources.

Implementation

An open space zone is included in the zoning ordinance (p. 17) which allows parks and public facilities as permitted uses. Height restrictions are applied to all development which serves to preserve scenic vistas. The flood plain of Willow Creek (an intermittent stream) cuts across the City from east and west and development in the area is limited by the flood plain ordinance.

Conclusion: The City of Madras does not comply with Goal 5.

Goal 5 requires jurisdictions to inventory resources, identify conflicting uses and adopted programs to achieve the Goal where conflicting uses occur. Madras has inventoried historic sites but failed to identify conflicting uses and adopt programs to achieve the Goal for four historic sites in private ownership. The plan notes that "the City will cooperate with the Museum Association should any of the structures become available for restoration" and "support and cooperation" are stressed in Plan Policy C. But no policies or ordinances have been adopted which assure that the resources are preserved or even that the historic value of the sites is recognized when conflicting uses are considered.

The Department does not concur with 1000 Friends objection on inventory requirements. The plan indicates that vacant land serves as open space and that no major open space resources exist within the planning. The City contends that Willow Creek, an intermittent stream, is not a natural resource as defined in the Goal. The stream bed is protected from some development by a flood plain ordinance in any case.

In order to comply with this Goal, the City of Madras must adopt policies and/or ordinances that provide procedures to protect identified historic sites from conflicting uses.

4. Air, Water and Land Resources Quality: (Goal 6)

The acknowledgment request contains the following to comply with this Goal:

Factual Information: Plan, pp. 18-19

Plan Policies: Plan, p. 78

Implementation Measures: Zoning Ord. pp. 15-16

The plan notes that air quality is generally good in the area (Plan, p. 18). Five or six area plants are known to generate pollution, but they are not known to violate state and federal standards.

Water quality is discussed in some detail in the plan. There are no year 'round streams in the area, but surface water is a problem because of an impervious sandstone layer which blocks percolation and keeps septic tank wastes in very shallow and inadequate topsoil (Plan, pp. 18-19).

Conclusion: The City of Madras complies with Goal 6.

5. Areas Subject to Natural Disasters and Hazards: (Goal 7)

The acknowledgment request contains the following to comply with this Goal:

Factual Information: Plan, pp. 1, 19-20

Plan Policies: Plan, p. 79

Implementation Measures: Flood Plain Ordinance

The plan (pp. 19-20) states that flooding from Willow Creek is the only significant natural hazard in the area. Landslides, earthquakes and weak foundation soils are not problems in the planning area.

The Willow Creek flood plain has been mapped (Plan, p. 20a) and is treated as an overlay of existing zoning. The flood plain ordinance limits development in the overlay zone. The ordinance qualifies the City as a participant in the National Flood Insurance Program.

Plan Policy (p. 79) requires the City to comply with the ordinance.

Conclusion: The City of Madras complies with Goal 7.

6. Recreational Needs: (Goal 8)

The acknowledgment request contains the following to comply with this Goal:

Factual Information: Plan, pp. 21-23

Plan Policies: Plan, p. 79

Implementation Measures: Zoning Ord. p. 17

The plan includes a discussion of recreational facilities in Madras and the surrounding area. Recreational needs are also identified (Plan, pp. 21-23).

Plan policies have been adopted to encourage development of needed recreational facilities.

The zoning ordinance includes an open space zone in which parks are a permitted use.

Conclusion: The City of Madras complies with Goal 8.

7. Economy of the State: (Goal 9)

The acknowledgment request contains the following to comply with this Goal:

Factual Information: Plan, pp. 23-42

Plan Policies: Plan, p. 80

Implementation Measures: Zoning Ord. pp. 11-16

An overall economic development plan for Jefferson County was completed in 1977 and much information from that plan has been included in the Comprehensive Plan. Data on population, labor force, income, employment, economic sectors and major employers is included.

An analysis of future economic development is also included (Plan, pp. 41-2) with a discussion of the allocation of land for commercial and industrial uses. The Madras Industrial Park has been included within the UGB and additional services to the area are a high priority.

Conclusion: The City of Madras complies with Goal 9.

The Department of Economic Development reviewed and complimented the City on their economic element (letter attached).

8. Housing: (Goal 10)

The acknowledgment request contains the following to comply with this Goal:

Factual Information: Plan, pp. 42-47, 66-71

Plan Policies: Plan Map, Plan, p. 81

Implementation Measures: Zoning Ord. pp. 8-11, 20-22, 28-30

Buildable Lands Inventory

Goal 10 defines buildable land as "...lands in urban and urbanizable areas that are suitable, available, and necessary for residential use" (emphasis added).

Lands Suitable and Available

The plan shows that 120 acres of 365 residentially zoned acres within the City are undeveloped and outside of the flood plain of Willow Creek. Much of this land is intermingled with existing residential development through ownership of more than one lot. Little of this platted land is considered available for future development by the City (pp. 66-68).

The unincorporated urbanizable area within the UGB includes 1034 acres of land designated in the plan for residential use. This area contains a population of approximately 2000 people. Only 263 acres are considered suitable and available for future residential development (Plan, p. 68). Most of the remainder is considered developed. The plan does not indicate how much, if any, of the developed land may be available for infilling.

Land Necessary for Residential Development

The plan (p. 42), provides the following information on current housing mix within the city limits:

	<u>1970</u>	<u>1970-77</u>	<u>Total</u>
Single Family:	412	32	439*
Multifamily:	151	27	178
Mobile Homes	46	1	47
	<u>609</u>	<u>60</u>	<u>664</u>

*Includes five demolitions.

No information on housing in the urbanizable area is provided.

Based on their population projection and three person per dwelling unit, the City has projected a need for 533 residential units. The City has not completed an analysis of need by housing type. Housing Division, 1000 Friends and the Oregon Business Planning Council have all objected on the grounds that this fails to comply with the Commission's Housing Policy.

Sufficiency of Land to Meet Needs

To meet their residential need of 533 units, the plan provides 291 acres of buildable land in the single family (R-1) designation and 52 acres in the multifamily (R-2) designation. All of the R-2 land is in the city limits (Plan, p. 66) and a high percentage is platted. The plan states that most of the vacant platted lots are not for sale and not available for residential use (Plan, pp. 45, 67-68).

Policies

The City has adopted the following housing policies:

"Policies - The City shall:

- a) Provide buildable land for a variety of housing types.
- b) Encourage development of suitable housing to satisfy all income levels."

Implementing Measures

The City's plan and zone maps are identical and the two residential designations are carried through the zoning ordinance.

The Single Family Residential (R-1) zone lists single family dwellings, duplexes and modular home subdivisions as permitted uses (Zoning Ord. p. 8).

Lot size for single family dwellings in 7500 square feet. The Housing Division and 1000 Friends have objected to the City "raising" the minimum lot size from 5000 to 7500 feet as an obstacle to affordable housing. The City states in the attached letter that the newly adopted ordinance did not change the minimum lot size standard, but maintained an existing standard. The change from 5000 to 7500 feet was made in 1964 and the provisions in the ordinance are simply to allow for development on 5000' lots created prior to 1964.

The Multiple Family (R-2) Residential Zone permits single family dwellings and boarding houses and multiple family dwellings with site plan approval (Zoning Ord. pp. 9-10). Apartments, motels and mobile home parks are permitted with site plan approval in the Commercial and Industrial Zones (corrected Zoning Ord. p. 12 and pp. 13 and 15). Mobile home parks are a conditional use in the R-2 Zone.

The Housing Division and 1000 Friends have objected to the site plan approval standards. Site plan approval requires that the following objectives and standards be applied (Zoning Ord. pp. 20-22):

- "(1) PURPOSE. The purpose of site plan approval is to determine compliance with the objectives of this ordinance in those zoning districts where inappropriate development may cause a conflict between uses in the same or adjoining zoning district by creating unhealthful or unsafe conditions and thereby adversely affect the public health, safety, and general welfare.

"(2) Within 35 days after the submission of a complete site plan, the Site Plan Committee shall approve, approve with conditions, or disapprove the site plan. Failure to render a decision within the 35 day period shall be deemed approval of the plan as submitted. In approving the plan, the committee shall find that all provisions of this ordinance are complied with; and that all buildings and facilities, access points, parking and loading facilities, signs, lighting and walls or fences are so arranged that traffic congestion is avoided and pedestrian and vehicular safety and welfare are protected, and that adverse impacts on surrounding property will be minimized. The decision of the Committee shall be forwarded to the City Council."

The objection specifically mentions the standard "that adverse impacts on surrounding property shall be minimized."

The objection from 1000 Friends also challenges the conditional use standards in the ordinance because of their application to mobile home parks in the R-2 zone. Parks are permitted with site plan approval in Industrial and Commercial zones.

Conclusion: The City of Madras does not comply with Goal 10.

The Department's review and objectors have raised the following major issues:

Housing Needs by Type, Sufficiency of Buildable Lands, Minimum Lot Sizes, and Site Plan Approval

Housing Needs by Type

Objectors argue that adequate buildable lands cannot be assured without a projection of housing needs by type. The City has completed an inventory of housing stock and of building permits since 1970. They have not projected future housing by type. The City argues that adequate land is provided and that such an analysis is meaningless (letter, 9/11/79). Complexity is added to this issue because of the extent of development in the urbanizable area. The City has good data on housing mix within the City, however, almost half of the population of the area lives outside the city limits for which no information is provided. Without information on future housing need by type, it is impossible to determine whether adequate land is available.

Sufficiency of Buildable Lands

The objection from 1000 Friends (attached) argues that the need for multifamily dwellings and mobile homes are not provided for. The restrictions placed on these uses are summarized in the following chart:

<u>USE</u>	<u>ZONE</u>		
	<u>R-1</u>	<u>R-2</u>	<u>C-1/M-1/M-2</u>
Multifamily	---	SPA	SPA
Modular Home Sub. (20 feet or more wide)	P	---	---
Mobile Home Park	---	C	SPA*

P=Permitted; C=Conditional; SPA=Site Plan Approval

*The City has provided a corrected page 12 of the Zoning Ordinance which lists mobile home parks as a permitted use with site plan approval in the C-1 zone, thereby making it a permitted use with site plan approval in both industrial zones as well.

The R-2 zone is designated only within the city limits and covers 101 acres. The City has indicated that 59 acres are suitable for development, but notes that many platted vacant lots are not for sale and not available for development.

Thus, much of the multifamily and mobile home needs may have to be met in commercial and industrial zones. Without a projection of housing needs by type, it is impossible to determine if sufficient land has been provided. Further, the Department questions the City's decision to locate most of its multifamily and mobile home units in commercial and/or industrial areas.

Minimum Lot Sizes

The City has used a lot size of 7500' for 15 years and has not raised that in this ordinance. Five thousand square foot lots created prior to 1964 can be developed. Furthermore, the City's 7500 square foot lot size establishes a reasonable urban density and is not in conflict with the Goal's purpose of providing affordable housing.

The Department does not concur with objectors in this point.

Site Plan Review

The Department reviewed the City's site plan approval process for consistency with the Commission's Housing Policy and the "clear and objective" standard. 1000 Friends argue that the required findings are vague and subjective and Housing Division notes that the Site Plan Committee can disapprove the request.

The only standard which the Department believes could be viewed as "vague and discretionary" is the requirement "that adverse impacts on surrounding property will be minimized." Given the City's decision to permit outright commercial, residential and in some areas industrial uses in the same zone, the Department believes this standard is reasonable. The procedures do allow the City to disapprove the site plan, but not the use.

(While the Department concurs with 1000 Friends that conditional use standards included in the ordinance are vague and discretionary, little of the need for mobile home parks will be met in the R-2 zone, the only area where the standards apply to residential use.)

In order to comply with this Goal, the City must:

1. Consider existing housing mix in both the urban and urbanizable area;
2. Determine future housing need by type of unit; and
3. Demonstrate that sufficient land zoned to permit the use is provided to meet those needs. The City must consider providing a sufficient amount of R-2 land to meet multi-family needs.

9. Public Facilities and Services: (Goal 11)

The acknowledgment request contains the following to comply with this Goal:

Factual Information: Plan pp. 47-53, 54a

Plan Policies: Plan, p. 81

Implementation Measures: Zoning Ord pp. 9, 11, 13; Subdivision Ordinance, Article III

Sewer

The City has a new (1975) sewage treatment facility adequate to serve more than 5000 people (Plan, p. 47). There are no combined sewers or overflows connected to the system and no infiltration problems have been discovered.

Water

The City provides water to City residents from three wells and additional water from the North Unit Irrigation District in the summer (Plan, pp. 47-49). Capacity of the system is more than 5000 (Plan, p. 47).

A plan policy (p. 93) states that "the City may not be able to provide community water services to areas both inside and outside the existing city limits. Therefore, it is understood that within these areas, as of the date of this plan, the Deschutes Valley Water District may be requested to provide domestic water service to these urbanizing areas."

On page 63, the plan discusses the availability of domestic water from Deschutes Valley for areas outside the UGB. However, there is no general discussion of the provision of water service in the urbanizable area.

Other Services

In addition, the following services are also discussed: Police, Fire, Health, Schools, Solid Waste and Organization.

The plan does not include a discussion of storm drainage. New subdivisions are required to provide for storm drainage.

Plan Policies

The plan includes the following policies:

"Policies - The City shall:

- (a) Continue to support the school district in providing adequate education facilities.
- (b) Provide urban services as required to the urbanizing areas of the City.
- (c) Insure the provision of urban services -- street, water and sewer -- as new developments occur."

The plan and implementing measures require future urban development to be preceded by annexation and for sewer services to be provided by the City (Plan, p. 74).

Conclusion: The City of Madras does not comply with Goal 11.

The City has not completed an inventory of water service to the urbanizable area and assured the orderly and efficient provision of water service to that area. No standards have been established to indicate when Deschutes Valley "may be requested" to provide water service.

In order to comply with this Goal, the City must:

- 1) Inventory water service in the urbanizable area and assure the orderly and efficient provision of service in that area.
- 2) Assess storm drainage problems and issues and address appropriately in policies and ordinances.

10. Transportation: (Goal 12)

The acknowledgment request contains the following to comply with this Goal:

Factual Information: Plan pp. 22-23 and 53-60

Plan Policies: Plan pp. 79 and 82-83

Implementation Measures: None

The plan includes a lengthy discussion of highway, rail, air and freight travel. Facilities are inventoried and problems identified. Pedestrian travel is also discussed (p. 39) and use of bicycles is handled in the recreation section (pp. 22-23).

Policies in the plan commit the City to resolving transportation problems identified in the inventory section. Policies are also included encouraging the State Highway Department to take specific steps to improve traffic circulation. Other policies (p. 79) address bicycle travel and the transportation disadvantaged (p. 59).

Conclusion: The City of Madras complies with Goal 12.

11. Energy Conservation: (Goal 13)

The acknowledgment request contains the following to comply with this Goal:

Factual Information: Plan p. 61

Plan Policies: Plan pp. 83-84

Implementation Measures: none

The plan notes that no energy sources exist in the City. Conservation achieved through other plan elements is discussed (urbanization, Uniform Building Code, residential infilling).

Plan policies encourage the efficient use of utilities and the development of alternate energy sources. The City also supports a waste recycling center (p. 61).

Conclusion: The City of Madras complies with Goal 13.

12. Urbanization: (Goal 14)

The acknowledgment request contains the following to comply with this Goal:

Factual Information: Plan pp. 13-14, 24-25, 42-47, 62-76, 85-93a

Plan Policies: Plan pp. 76, 84-93, 97-100

Implementation Measures: Subdivision Ord. p. II-11

The City and Jefferson County have adopted the Madras Comprehensive Plan, thereby adopting the urban growth boundary and management plan for the urbanizable area.

The following chart summarizes land areas involved (from Plan pp. 66 and 68):

Designation	City Limits (Acres)	Urbanizable Areas (Acres)	Developed Urbanizable Area (Acres)
R 1	263	905	682
R 2	101	--	
C 1	126	129	88
M 1	31		
M 2	--	302	121
O/S	87	47	47
Flood Plain	<u>142</u>	<u>13</u>	
TOTAL	<u>750</u>	<u>1396</u>	<u>938</u>

The plan states that approximately 938 acres of the urbanizable area is currently "developed" (p. 68). An additional 100 are irrigated and in agricultural production. Most of the urbanizable area is Class II through IV under irrigation (pp. 13-14).

The area is needed to meet a projected population of 5600 in the year 2000. This is an increase of approximately 1600 over the estimated current population of 4000 within the entire UGB.

Justification for the urban growth boundary is provided in several parts of the plan. The Department's analysis is divided into three parts: Need (Factors 1 and 2), Location (Factors 3-7) and Other Factors.

Need Factors

As shown in the previous chart, the urbanizable area is designated for residential, industrial and commercial uses.

Residential Use

The City has completed a buildable lands inventory which indicates that 121 gross acres of residential land are suitable for development within the City and 223 acres are suitable in the urbanizable area (pp. 66 and 68). Thus, a total of 344 acres are suitable, though the City emphasizes that some of the suitable residential land within the City is not available for residential use.

The City has used three "tests" to show that this land is needed for residential development:

- 1) If the large industrial area is excluded, the current density in persons per gross acre within the City will be maintained (p. 69).
- 2) The gross residential density in persons per gross residential acre will remain the same (p. 70). (This calculation was based on existing gross residential acreage and then compared to net residential acreage added.)
- 3) A need for 533 units was projected and a density of three units per net acre assumed resulting in a "need" for approximately two-thirds of the suitable (p. 20) residential land. The City then argues that this is reasonable and suggests that a higher population projection may be appropriate (p. 71).

The Housing Division, 1000 Friends of Oregon and Oregon Business Planning Council have all objected to the City's demonstration of residential need as being inadequate. Because the City has failed to project housing need by type, the Department is unable to determine if too little or too much land has been included in the boundary.

Commercial/Industrial Need

The City and County have included approximately 430 acres of commercial and industrial land within the UGB (p. 68). Two hundred acres are already developed (p. 68).

The plan states "that there is very little commercial land yet undeveloped within the existing city limits" (p. 86). The chart on page 66 shows 59.00 acres being suitable for development, however, many of the lots are not available for commercial use (p. 67).

The industrial land is all within the Madras Industrial Park and full development of this site is the number one priority of the Jefferson County Overall Economic Development Plan (p. 41). The 300 plus acres currently includes more than 120 acres of industrial development.

1000 Friends has also objected to the lack of a justification for the industrial and commercial acreage included in the UGB.

Locational Factors:

The urbanizable area extends to the north, south and east of the City. The area to the west is considered inappropriate because of topography, proximity to railroad tracks and extent of agricultural use (p. 73).

The plan also states that the area contains an existing population of 2000. Seventy-five percent of these residences rely on dry well septic systems which the DEO says must be eliminated by 1980 (pp. 65, 74).

Most of the urbanizable area is Class I-VI agricultural land; however, only 100 acres are under irrigation and in production. This 100 acre parcel is located between the city limits and existing residential development in the urbanizable area (p. 75).

Other Factors

The plan in several places (pp. 62-65, 75), discusses the importance of the 1973 zoning of 7800 acres of land surrounding the City as Limited Agriculture (A-3) with a 10,000 square foot minimum lot size. Most County residents considered this entire area to be appropriate for urbanization and inclusion within the UGB (p. 63). Establishment of the current boundary was done over the strenuous objection of the Area Advisory Committee (p. 65).

Transition from Urbanizable Land to Urban Areas

The plan allows for development on individual sewer systems in the urbanizable area (p. 76). However, lower density development must meet standards set in the City Zoning and Subdivision Ordinance and must provide a redevelopment plan (Plan p. 92, Sub. Ord. p. II-11).

City policy requires annexation in order to receive sanitary sewers. Development at or near the minimum lot size will be required to locate in close proximity to the existing city limits (p. 92).

The City and County have jointly adopted the plan which also specifies procedures and findings for a boundary amendment.

Conclusion: The City of Madras does not comply with Goal 14.

As noted under Goal 10, the Department is unable to determine if residential needs have been adequately considered.

The Department does not support 1000 Friends objection that industrial and commercial lands have not been justified. However, the City should, where appropriate, consider designating and zoning portions of the commercial and industrial land for multifamily residential use (see Goal 10 discussion).

Important other factors have been discussed regarding the boundary:

- 1) Existing residential development of almost 700 acres of the urbanizable area. While the City has chosen a very liberal definition of developed (lots of less than 10 acres), the area does contain a population of 2000.
- 2) Much of the residential development in the area will be required to upgrade individual septic systems. Provision of public sewer may be the most economical approach.
- 3) The City has chosen a low population projection which envisions the area growing by only 24% in the next two decades (from 4260 to 5600).

However, these facts, without a clear showing of need, are not compelling.

In order to comply with this Goal, the City must:

1. Demonstrate a need for residential land based on types of housing units provided; and
2. Adopt an urban growth boundary consistent with that need.

The City may also use a demonstration of development and commitment in the urbanizable area and demonstrate need for public services in justifying the boundary.

C. Comments Received:

The following have provided comments on this request:

Agency	Statement	Local Participation**
OBPC	Objection*	No
1000 Friends	Objection*	No
Housing Division	Objection*	No
City of Madras	Res. to Objection*	
DED	Acknowledge*	
ODOT	Acknowledge*	
DEQ	Acknowledge	

*Statement attached

**Has the objecting party indicated what efforts were made to participate locally?

D. Overall Conclusions:

The City of Madras has prepared a useful plan based on adequate inventories and sound ordinances. However, the Department has determined that plan policies are, in certain cases, not adequate to comply with the requirements of the Goals.

V. RECOMMENDATIONS:

A. Staff:

Recommends that the commission offer to continue the City of Madras' acknowledgment request for 120 days to amend the plan and implementing measures to be in compliance with Statewide Planning Goals 5, 10, 11 and 14.

In order to comply, the City must:

Goal 5:

Adopt policies and/or ordinances that provide procedures to protect identified historic sites from conflicting uses.

Goal 10:

1. Consider existing housing mix in both the urban and urbanizable area;
2. Determine future housing need by type of unit; and
3. Demonstrate that sufficient land zoned to permit the use is provided to meet those needs. The City must: consider providing a sufficient amount of R-2 land to meet multifamily needs.

Goal 11:

- 1) Inventory water service in the urbanizable area and assure the orderly and efficient provision of that service in the area; and
- 2) Assess storm drainage problems and issues and address appropriately in policies and ordinances.

Goal 14:

1. Demonstrate a need for residential land-based on types of housing units provided; and
2. Adopt an urban growth boundary consistent with that need.

The City may also use a demonstration of development and commitment in the urbanizable area and demonstrate need for public services in justifying the boundary.

B. Local Coordination Body:

None received.

VI. COMMISSION ACTION:

Approved a 120-day continuance to allow the City to address items in the staff recommendations (Section V.) on Goals 5, 10, 11 and 14. If update is used, a policy or policies will need to be addressed regarding the update item in the plan. However, it would appear that possible update items could be as easily addressed now. Staff is to work with Madras on what is required and the various ways to achieve it.

LC:cz

OREGON BUSINESS PLANNING COUNCIL

1178 CHEMEKETA, N.E.

SALEM, OREGON 97301

PHONE (503) 370-8112

STAFF:
KATHERINE KEENE
Planning Director

DAVID S. HILL
Natural Resources
Director

August 2, 1979

DEPARTMENT OF
LAND CONSERVATION
(AND DEVELOPMENT)

AUG 2 1979

SALEM

Mr. Wes Kvarsten, Director
Department of Land Conservation
and Development
1175 Court Street, N. E.
Salem, Oregon 97310

Attention: Lloyd Chapman

Dear Mr. Kvarsten:

The Oregon Business Planning Council has reviewed the Comprehensive Plan and Implementing ordinances submitted by the City of Madras in support of their request for Acknowledgement of Compliance. We have identified a number of concerns and present them in two groups.

A. Those concerns that we feel affect goal compliance are:

1. It is not clear why the population projection used a 1% growth ratio when the City's growth averaged 4% per year from 1970 - 1977. The Plan does not indicate why the 1% figure was chosen. The underlying assumptions leading up to the choice of the 1% figure are not spelled out.

A realistic population projection with appropriate justification is needed so that planning decisions regarding housing needs and sewer and water systems can be made.

2. Housing considerations are addressed in the Housing Section (pp. 42-45). Inventory material is presented, but the follow-through step of projecting housing needs by type or price range is not taken. There is no linkage between housing needs by type or price range and the projected population nor the UGB. These deficiencies raise questions of goal 10 and 14 compliance.

3. Generally the public facilities are adequately inventoried; however, there is no indication as to how much of the water system's capacity is currently used, or how many more people can be accommodated.

The documents submitted do not explain the relationship of the City water system to the Deschutes Valley Water District which serves the surrounding area. If there are problems with the sewer and water systems, they are not mentioned. The public facility policies are brief and do not address future system expansions nor do they address the "facilities plan" the City developed with E. P. A. assistance to provide collection facilities to the outlying areas.

The water and sewer systems should be readdressed if the population projection is changed substantially.

4. The Zoning and Subdivision Ordinances contain definitions that are not in keeping with ORS 92. The Plan cannot be adequately implemented when ordinances do not meet state law, therefore it seems Goal 2 is not met. In the zoning ordinance (p. 5) Subdivide Land, and in the subdivision ordinance (pp. I-5 - I-7) Major Partition, Minor Partition, Partition Land and Subdivide Land are not in keeping with ORS 92.

Because of the number and significance of the problems discussed above, the Oregon Business Planning Council objects to the request for acknowledgement of compliance by the City of Madras.

B. Those concerns that we feel are worthy of mention, but do not directly affect goal compliance are:

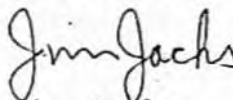
1. The Plan Goals and Policies express the desire for an efficient and economical transportation system, but city streets are not designated for level of usage, for example, arterials, collectors, residential. If streets are not designated, especially arterials and collectors, it may be impossible in the future to develop a safe, efficient and economical street system.

2. Although the document indicates in two places (pp. 60 and 83) that the City is opposed to relocation of the existing highway, no reasons are given for this policy choice. The inventory material does not adequately discuss the highway relocation. Given the potential impact of the planning decision on the entire community it seems reasons for the highway relocation decision are needed.

3. In the Subdivision Ordinance, page III - 1, Section 302, Right-of-way and Street Improvements, there is only one minimum right-of-way requirement (60 feet) and one minimum street width requirement (44 feet). Additionally, there is only one base rock requirement. If the Plan Goal and Policy of an efficient and economical transportation system is to be achieved, minimum right-of-ways and street widths and base rock requirements should be matched to street types, i. e. arterials, collectors, cul-de-sacs. If street types and development standards are not matched, the streets may be underbuilt or overbuilt for their level of use.

Although points B1 - B3 are not of major importance to acknowledgement of compliance, we did note them during our review and felt it was appropriate to mention them in a constructive way for future planning consideration.

Sincerely,



Jim Jacks
Associate Planning Director

JJ:paw

cc: Dick Cowden
Brent Lake, DLCD Field Rep.
Dan Meader
Robert Martin, Jefferson County

The first part of the report deals with the general situation of the country. It is a very interesting and comprehensive study of the economic and social conditions of the country. The author has done a great deal of research and has gathered a wealth of material. The report is well written and is a valuable contribution to the study of the country.

The second part of the report deals with the specific details of the country. It is a very detailed and thorough study of the country's resources, its industries, and its population. The author has done a great deal of research and has gathered a wealth of material. The report is well written and is a valuable contribution to the study of the country.

The third part of the report deals with the future of the country. It is a very thoughtful and well-reasoned study of the country's prospects. The author has done a great deal of research and has gathered a wealth of material. The report is well written and is a valuable contribution to the study of the country.

The fourth part of the report deals with the conclusion of the study. It is a very thoughtful and well-reasoned study of the country's future. The author has done a great deal of research and has gathered a wealth of material. The report is well written and is a valuable contribution to the study of the country.

The fifth part of the report deals with the appendix. It is a very detailed and thorough study of the country's resources, its industries, and its population. The author has done a great deal of research and has gathered a wealth of material. The report is well written and is a valuable contribution to the study of the country.

The sixth part of the report deals with the bibliography. It is a very detailed and thorough study of the country's resources, its industries, and its population. The author has done a great deal of research and has gathered a wealth of material. The report is well written and is a valuable contribution to the study of the country.

1000 FRIENDS OF OREGON

400 DEKUM BUILDING, 519 S.W. THIRD AVENUE, PORTLAND, OREGON 97204 (503) 223-4396

August 14, 1979

DEPARTMENT OF
LAND CONSERVATION
AND DEVELOPMENT

SALEM

Mr. W. J. Kvarsten, Director
Department of Land Conservation
and Development
1175 Court Street, NE
Salem, OR 97310

Dear Mr. Kvarsten:

On behalf of 1000 Friends of Oregon, we have reviewed the City of Madras Comprehensive Plan and implementing ordinances. Based upon the following observations, we object to a granting of Acknowledgment of Compliance for the City of Madras.

I

PLAN FAILS TO ADEQUATELY DEMONSTRATE NEED FOR TOTAL UGB ACREAGE

The plan projects that the planning area must accommodate an additional 1,600 people by the year 2000. However, the plan calculates future residential acreage needs based upon an extremely low density of three dwelling units per net acre or lot sizes in excess of 11,000 sq. ft. (at 70). This is clearly inconsistent with implementing ordinances which allow single and multifamily residential densities of 4.4 and 14 units per net acre, respectively. An assessment of future acreage requirements based upon such a low density significantly inflates the UGB and violates Goal 14.

Residential acreage needs should instead be based upon minimum lot size requirements established in each residential zone. These requirements establish densities at which future development can occur. This projection must, in turn, take into account the allocation of vacant buildable lands in each zone and the corresponding established densities. In sum, the ability to accommodate future housing needs within existing city limits and, in turn, demonstrate UGB acreage requirements must be based upon:

- the allocation of vacant buildable acreage with city limits with respect to each plan designation
- the corresponding densities established through each implementing zone; and
- a housing mix allocating needed dwelling units at various density levels.

Such an analysis must be provided to insure conformance with Goals 10 and 14.

II

PLAN FAILS TO PROVIDE ADEQUATE INVENTORIES

The comprehensive plan also fails to adequately inventory open space and natural and scenic resources as required by Goal 5. The plan indicates that large areas of open space exist within the planning area, yet fails to identify these resource lands or provide policies which conserve such areas. Nor does the plan provide policies which insure the protection of four historic structures located within present city limits (at 17). Similarly, Willow Creek is a natural resource which is neither adequately inventoried nor protected through the provision of policies or other programs within the plan.

Goal 9 requires inventories of lands suitable to accommodate future economic growth. The City of Madras has failed to adequately inventory alternative future commercial or industrial sites. The absence of the inventories and any designation of lands for such uses not supported by such an inventory violates Goal 9.

III

PLAN FAILS TO DEMONSTRATE A NEED FOR TOTAL UGB ACREAGE

Goal 14 requires that the City of Madras base its UGB acreage upon a demonstrated need to accommodate future growth. The city limits of Madras presently contain 59.00 and 13.30 vacant buildable acres of commercial and industrial land, respectively. However, the plan also provides an additional 40.32 and 181.38 buildable acres within the UGB for future commercial and industrial without supplying supporting data and rationale demonstrating such a need. To so inflate the UGB over an actual need for urbanizable acreage violates Goal 14.

IV

PLAN AND IMPLEMENTING ORDINANCES VIOLATE GOAL 10

Goal 10 requires that the City of Madras provide adequate housing at a range of affordable price and rent levels. Guideline A of Goal 10 provides that the plan should include a range of information deemed essential to an accurate assessment of housing needs, as well as a variety of densities and housing types. Furthermore, the St. Helens policy, as adopted by the LCDC, requires that any housing need so identified be met through the provision of adequate permitted uses and buildable acreage.

The City of Madras has not provided an adequate assessment of housing needs. No determination has been made as to expected housing demand at various rent and cost levels. For instance, what percentage of fu-

ture housing needs will be met with mobile homes? How will the provision of mobile homes affect residential densities, and thus future acreage requirements? Lacking such information, the city cannot insure the provision of a sufficient variety of densities and dwelling unit types commensurate with future housing needs as required by Goal 10.

The plan should provide for a variety of minimum lot sizes to insure affordable housing and an efficient use of urbanizable land. Yet both the R-1 and R-2 residential zones provide a minimum lot size of 7,500 sq. ft. in new developments. The zoning ordinance should permit a smaller minimum lot size, and thus a more affordable lot, in the R-2 zone. The accompanying higher density would serve to decrease public facilities and service costs and meet increasing consumer demand for smaller lots.

Land use designations within the UGB fail to allocate any acreage to the R-2 classification. Yet multifamily dwellings and mobile home parks are permitted only in the R-2 zone. Since 1970, multifamily and mobile home building permits have accounted for 32% and 20%, respectively, of all building permits issued statewide (at 3, Housing Report - 2000 Commission, Department of Commerce). Moreover, 43% of all building permits issued in Jefferson County since 1970 involved multifamily dwellings (Building Permit Summary: Housing Division, Oregon Department of Commerce). These figures clearly demonstrate a need for R-2 zoned land within the UGB. Failure to identify and accommodate this need violates Goal 10. Moreover, the city has based its UGB upon an inaccurate assessment of housing needs and, in turn, inflated the acreage required within the UGB in violation of Goal 14.

The plan also violates the St. Helens policy and, in turn, Goal 10 by permitting needed housing types subject to a discretionary approval based upon standards which are not clear and objective. Multiple family dwellings are permitted only with the R-2 zone subject to site plan approval. However, approval of a site plan requires an affirmative finding that:

"All buildings and facilities, access points, parking and loading facilities, signs, lighting and walls or fences are so arranged that traffic congestion is avoided and pedestrian and vehicular safety and welfare are protected, and that adverse impacts on surrounding property will be minimized." (at 21)

These required findings are vague and subjective. The discretion inherent within these conditions could have the effect of discouraging needed multifamily housing. This is particularly crucial with respect to the City of Madras as the plan fails to allocate enough land which even permits multifamily housing. The dependence of multifamily dwelling approval upon such criteria thus violates the St. Helens policy and Goal 10.

Mobile home parks are permitted only as a conditional use within the R-2 zone. Mobile homes are not permitted outside of such a park

Mr. W. J. Kvarsten
August 14, 1979
Page 4

anywhere within the city. However, the approval standards relative to conditional uses are also inconsistent with the St. Helens policy. These standards include (at 28):

- B. Taking into account location, size, design and operation characteristics, the proposal will have a minimal adverse impact on the (a) livability, (b) value, and (c) appropriate development of abutting properties and the surrounding area compared to the impact of development that is permitted outright.
- C. The location and design of the site and structures for the proposal will be as attractive as the nature of the use and its setting warrants.
- D. The proposal will preserve assets of particular interest to the community.
- E. The applicant has a bona fide intent and capability to develop and use the land as proposed and has some appropriate purpose for submitting the proposal and is not motivated solely by such purposes as the alteration of property values for speculative purposes.

These standards are vague and could serve to delay or discourage the provision of mobile homes as a necessary housing alternative. The city has thus failed to address the need for mobile homes in violation of Goal 14 and permits this particular housing type based upon discretionary approval standards inconsistent with the St. Helens policy and Goal 10.

V

SUMMARY

We object to the granting of an Acknowledgment of Compliance as requested by the City of Madras until the deficiencies addressed above have been corrected.

We appreciate the opportunity to comment.

Very truly yours,



Steve Pfeiffer
Planning Intern

SP/eec

cc: Mayor Ray Murray, City of Madras
Jefferson County Board of Commissioners
Dan Meader, Planning Consultant

Department of Commerce
HOUSING DIVISION

LABOR & INDUSTRIES BLDG., SALEM, OREGON 97310 PHONE (503) 378-4343

DEPARTMENT OF
LAND CONSERVATION
AND DEVELOPMENT

AUG 30 1979

August 28, 1979

SALEM

W. J. Kvarsten, Director
LCDC
1175 Court Street NE
Salem, Oregon 97310

Attention: Lloyd Chapman, Lead Reviewer.

Re: Madras Request for Acknowledgement of Compliance

Dear Mr. Kvarsten:

The Housing Division has reviewed the comprehensive plan and implementing ordinances submitted by Madras, Oregon for acknowledgement of compliance. We have evaluated housing policies and other information contained in the plan to determine consistency with the provisions of Goal #10.

The plan is clearly written and organized and contains a good discussion of the process utilized to establish the UGB. However, the Division feels the plan does not comply with a number of major goal requirements, and we feel we must object to plan acknowledgement at this time.

Buildable Lands Inventory

The plan presents adequate documentation of the buildable lands suitable for residential use within the city limits and the urban growth boundary. A land use map maintained by the city was utilized as the basis for determining vacant residential land within the city limits.

Flood plain land and acreage designated for commercial and industrial use was netted out of vacant land totals. Consequently, 40 acres of the 140 unplatted acres and 50% (approximately 240 lots) of the 480 vacant building lots are stated to be suitable for residential development.

The buildable lands inventory presented on p. 66 of the plan indicates 120.58 gross acres of buildable residential land exists within the city limits. The plan nets out 24% of the gross acreage for public facilities, arriving at 51.84 net acres for R-1 use and 39.84 net acres for R-2 use. (Note: netting out 24% for public facilities may be unreasonably high, given that much of the land is already platted for development.)

The buildable lands inventory presented on p. 69 of the plan indicates 223.16 gross acres of buildable residential land exists between the city limits and the urban growth boundary. Netting out 24% for public facilities, 169.60 net acres are available for R-1 use only within the urban growth area. In

summary, the following net acreages are projected as buildable residential land available to the year 2000:

R-1	221.44 net acres (city limits and UGB)
R-2	39.84 net acres (city limits only)

682 gross acres within the urban growth area are presented as already developed (p. 69). Given the present lack of sewers in this area, the development is predominantly large lot residential. The city of Madras anticipates that they will ultimately service this area. Consequently, the buildable lands inventory should document the amount of developed acreage which can feasibly be developed to higher densities upon annexation and the provision of services.

Housing Mix and Needs Analysis

It is projected that the Madras planning area must accommodate an additional 1600 people by the year 2000. The additional population is divided by the assumed average household size to arrive at a projected housing need for 533 units. ($1600/3.0 = 533$)

Madras has not provided an adequate assessment of housing need. No determination has been made as to the expected housing demand by type and/or cost level. Housing policies presented on p. 81 of the plan state: a) the city shall provide buildable land for a variety of housing types, and b) shall encourage the development of suitable housing to satisfy all income levels. The Housing Division feels that preparation of a housing needs assessment will facilitate implementation of these policies.

Given the projection that 533 units will be necessary by the year 2000, the city should calculate single family, multifamily and mobile home unit needs based upon housing mix assumptions. The plan contains information on housing mix by type (p. 42) which could be combined with policy choices to arrive at housing mix assumptions.

Subsequent to determining the number of units needed by type, residential acreage needs should be projected based on minimum lot sizes established in each residential zone. Presently, the plan calculates future residential acreage needs based upon a low density of 3 units per net acre. This density assumption is inconsistent with residential densities established in the zoning ordinance. Implementing ordinances allow single family densities of 4.4 (7500 sq. ft. lots) and 6.6 (5000 sq. ft. lots) units per net acre; and multifamily densities of 14 units per net acre.

Implementing Ordinances

Two residential designations are established in the Land Use Plan Element, single (SFR) and multifamily residential (MFR). The SFR designation is utilized at the outer edges of the city limits and within the entire urban growth area. The MFR designation is intended to provide a buffer between commercial and single family areas (p.88).

The R-1 zone implementing the SFR designation permits single family dwellings, duplexes and modular home subdivisions as outright uses. Lots platted prior to enactment of the new zoning ordinance require 5000 sq. ft. for a single family dwelling and 7500 sq. ft. for a duplex. Lots platted or annexed after enactment of the zoning ordinance require 7500 sq. ft. for a single family dwelling and 8000 sq. ft. for a duplex.

The R-2 zone implementing the MFR designation permits single family dwellings and boarding houses outright. Multifamily dwellings are required to comply with site review procedures and conditions. The site review committee has the authority to approve, disapprove, or approve with conditions - thus, multifamily dwellings are a discretionary use in the R-2 zone.

Mobile home parks are a conditional use in the R-2 zone. In light of the St. Helens policy, care should be taken to remove vague approval standards from zoning ordinances. Two of the conditional use standards should be closely evaluated in the context of the St. Helens policy: 1) proposal will have minimal adverse impact on the livability, value, and appropriate development of abutting property, compared with development permitted outright; and 2) Planning Commission may impose additional conditions it considers necessary to protect the best interests of the surrounding area or the city as a whole.

Minimum lot sizes in the R-2 zone are as follows:

Parcels platted prior to new zoning ordinance -

Single family dwelling	5000 sq. ft.
Duplex	7500 sq. ft.
*Multifamily dwelling	8000 sq. ft./first 2 units, plus 2000 sq. ft./each additional unit

Parcels platted after enactment of new zoning ordinance -

Single family dwellings	7500 sq. ft.
Duplex	8000 sq. ft.
Multifamily dwelling	same as above *

The plan does not contain findings of fact justifying the increased lot sizes under the new zoning ordinance. Minimum lot sizes are the same for single and multifamily zones. Did the city consider retaining the 5000 sq. ft. minimum lot size for single family dwellings in the R-2 zone? Providing the opportunity for smaller lot sizes would facilitate a range of price and rent levels and also allow for flexibility of housing location, type and density requisite under Goal #10.

In summary, the Housing Division feels resolution of the following issues

W. J. Kvarsten
August 28, 1979
Page four

is necessary prior to plan acknowledgement:

Document housing mix assumptions necessary to project unit needs by type.

Project residential acreage needs based upon minimum lot sizes established in the zoning ordinance.

Allocate unit needs by type to buildable residential land.

Present findings of fact justifying increased minimum lot sizes in the R-1 and R-2 zones.

The Division feels that resolution of the issues raised in this letter will not place an undue burden on the city of Madras. The plan contains a significant amount of information that can be utilized to resolve potential problem areas prior to plan acknowledgement. Please do not hesitate to call if you have any questions or comments.

Sincerely,

Mary E. Dorman

Mary E. Dorman
Planning Intern

Robert E. Clay

Robert E. Clay
Senior Planner

MD/io

cc: Dick Cowden, Mayor
Brent Lake, Field Representative
Robert Martin, Jefferson County Coordinator

CITY OF MADRAS

416 6th STREET
MADRAS, OREGON 97741

COUNCIL
MEETS SECOND TUESDAY EACH MONTH

September 11, 1979

Mr. Lloyd Chapman,
Land Conservation and Development Commission
1175 Court Street NE
Salem, Oregon 97310

DEPARTMENT OF
LAND CONSERVATION
AND DEVELOPMENT

SALES

Reference: City of Madras
Request for Acknowledgement

Dear Mr. Chapman,

The City has received several comments from public agencies concerning its acknowledgement request. There are three that the City would like to take the opportunity to respond. These are, The Department of Commerce, Housing Division, 1000 Friends of Oregon and the Oregon Business Planning Council. Taken in that order, the City would offer the following comments:

Housing Division

The requests made upon the City for additional information in the Plan are beyond the present goal requirements, and considering the last paragraph of the letter of August 23, 1979, such additional information will in fact place an undue burden on the City of Madras. The City of Madras has spent over two years developing this plan. To attempt to change it now could require an additional four public hearings plus a complete retyping of the Plan. The cost of which the City would be unable to bear at this time. Further, the agency was asked to comment on the Plan in March, 1979, prior to its adoption. Since our request was in writing and there was no response, we assumed the agency concurred with the Plan.

There are several points in the analysis with which we take exception. Buildable Lands Inventory - Page 1, third paragraph, the letter reads "(Note: netting out 24% for public facilities may be unreasonably high, given that much of the land is already platted for development.)" In reading the Plan it should have noted this is exactly what the figure is. What probably should have been presented is the fact that the developed residential land, a total of 243.66 acres, requires 87.03 acres of public land, therefore, it could potentially require a factor of 36%. We chose to use the gross residential acreage inside the City, 364.24 acres, as a more realistic figure.

In reviewing the letter it appears there are four points with which the Housing Division takes exception to the Plan. These are:

1. Document housing mix assumptions necessary to project unit needs by type. Comment: The housing goal is to provide for the housing needs of citizens of the state. The goal further reads "Buildable lands for residential use shall be inventoried and plans shall encourage the availability of adequate numbers of housing units at price ranges and rent levels which are commiserate with the financial capabilities of Oregon households and allow for the flexibility of housing location, type and density." The Madras Comprehensive Plan provides adequate amounts of land for a variety of housing types. Projecting price

Mr. Lloyd Chapman,
Land Conservation & Development Commission
September 11, 1979
Page 2

ranges and rent levels in a double digit inflation economy is meaningless. The Plan provides for outright use for single family at either 5,000 or 7,500 square foot minimum lot sizes, duplexes, single-wide mobile homes, double-wide mobile homes and multi-family dwellings.

The comment regarding the discretionary nature of the site plan approval is inappropriate. Multi-family dwellings are an outright use as allowed by the Zoning Ordinance. The site plan review process is merely to assure the standards set forth in the Zoning Ordinance are met.

2. Project residential acreage needs based upon minimum lot sizes established by the Zoning Ordinance. The comment in the letter indicates quite correctly that under the Zoning Ordinance 4.4 units could be developed per acre. However, the three units per acre estimate was utilized by comparing the number of existing residential units within the City (664) to the number of developed existing residential acres in the City (243.66) to yield an average density of 2.73 units per acre. Thus, the three units per acre is much more realistic in terms of actual development of the remainder of the City and the Urban Growth Boundary.

3. Allocate unit needs by type to buildable residential lands. Comment: This has been done in the Plan and in the Zoning Ordinance. The City has no wish, nor is it required by Goal 10 to provide strict market control of the private property located within the City and the Urban Growth Boundary.

4. Present findings of fact justifying increased minimum lot sizes in R-1 and R-2 Zones. Comment: The City of Madras adopted a Zoning Ordinance in 1947 which required the original 5,000 square foot lot size in the R-1 Zone, and the unit formula in the R-2 Zone. In 1964 the City of Madras updated their Zoning Ordinance and changed the lot sizes to 7,500 square feet per unit for R-1 and the present R-2 formula as presented in the Plan and the new Zoning Ordinance. In 1964 there were no findings of fact required - it was a political decision. The new plan and ordinance follows the 1964 ordinance and merely updates it to prevent the acceptability of illegally created lots between 1964 and 1979. 5,000 square foot lots created prior to the 1964 ordinance are still developable and have been calculated in the housing analysis.

1000 Friends of Oregon

The letter is divided into four basic parts:

1. Plan Fails to Adequately Demonstrate Need for Total UGB Acreage. Comment: The Plan clearly demonstrates the need for the total UGB acreage - three different tests were applied to that acreage including the L.C.D.C. recommended formula, and clearly show that the acreage is justified and warranted.

The comment regarding the densities of the Zoning Ordinance is quite correct. However, the existing density of the City (that is the existing developed residential lands vs. the total number of housing units currently with the City) is 2.73 per acre. Therefore the three units per acre is much more realistic.

2. Plan Fails to Provide Adequate Inventories. Comment: This seems to be directed toward Goal 5. As noted on page 16 of the Comprehensive Plan, there are large areas of open space intermixed between areas of development, however, these are under private ownership. Does 1000 Friends of Oregon expect the City of Madras to obtain fee simple title to these lands in order to protect them?

Secondly, the four historic structures as noted in the Plan are required to be noted by the State Parks Division. These also are under private ownership. Policies in the Plan on page 73 indicate the City will continue to support and cooperate with the Jefferson County Museum, the prime agency for historic preservation in Madras and Jefferson County.

The comments regarding Willow Creek are incorrect. As noted on page 16 of the Comprehensive Plan, Willow Creek is an intermittent stream which only runs from mid-December to Mid-July and as noted on the Comprehensive Plan Map and in the Goals and Objectives of the Plan, the Willow Creek area has been designated as a Flood Plain area and is protected by the City's Flood Plain Ordinance.

3. Plan Fails to Demonstrate a Need for Total UGB Acreage. Comment: The City has evaluated the future commercial and industrial sites and has provided for them as indicated in the Plan. The Plan beginning on page 66 contains the rationale for these designations.

4. Plan and Implementing Ordinance Violate Goal 10. Comment: Goal 10 requires the City of Madras to provide adequate housing in a range of affordable prices and rent levels. Guideline A. of Goal 10 is strictly a guideline - not a goal. The City has provided a variety of lot sizes, urban densities and suburban densities equal to those which currently exist and are desired by the residents of the Madras area. Commenting on Guideline A. - In a double digit inflation economy, trying to determine various rent and cost levels of housing is like throwing darts at a dart board. The City feels it is much more appropriate to provide adequate amounts of land and let the market determine the prices.

Regarding the comment on mobile homes, we are enclosing a copy of the corrected page 12 of the Madras City Zoning Ordinance. During final typing, the term "mobile home parks" was erroneously left off the outright uses within a commercial zone. However, the Comprehensive Plan as shown on page 89, does provide for the outright use of mobile home parks in a commercial zone.

Concerning the lot sizes prescribed by the R-1 and R-2 zones, the City of Madras provides that the existing 5,000 square foot lots which were platted prior to adoption of the Madras Zoning ordinance of 1964 are still buildable lots, are available for development and have been computed into the projected residential needs of the City. As a side note, the City is currently reviewing a proposed 80 unit mobile home subdivision inside the city limits in which the average lot size is 12,000 square feet. This is far above the zoning requirements. The developer has been advised that he could reap many more lots from the proposed development if he met the minimum lot size. The developer feels the larger sizes are more readily marketable in the Madras area.

The comments regarding violation of the so-called "St. Helens policy" are also inappropriate. The statement taken from the Madras Zoning Ordinance on page 21 is a verbatim statement from another city which was recently acknowledged. That statement was written with the assistance of the staff of the Land Conservation and Development Commission.

Oregon Business Planning Council

- A. Concerns that the Oregon Business Planning Council feel affect goal compliance.
 1. Population Projection. The discussion on page 47 of the Madras Comprehensive Plan indicates:
 - a. Public facilities presently exist and can serve a population over 5,000.
 - b. The population projections of Portland State University are unrealistic.

- c. Even at a 1% growth ratio, the expected population within the Planning area, including the 2,000 people within the Urban Growth Boundary, will yield a population of 5,600 by the year 2000.
 - d. The growth rate must be carefully monitored to maintain adequate public facilities.
2. Housing Considerations. The Plan provides for a variety of housing types but does not project price ranges. Projecting possible price ranges and rent levels in a double digit inflation economy is unrealistic and without merit. The City prefers to provide the land areas necessary for various types of housing and leave the market decisions to those who will have to provide financial capability.
 3. Public Facilities. Again, the discussion beginning on page 47 of the Comprehensive Plan should be reviewed. That discussion indicates that during the summer months the City, at times, has had to seek additional water. The discussion concerning the Deschutes Valley Water begins on page 14 and should make clear some of the problems the City of Madras has faced during this Comprehensive planning process. The Deschutes Valley Water District has enough water at its source to serve a population of 75,000 if it had the means to transport it. The decision of the City regarding Deschutes Valley Water is indicated in the Urban Growth Management Area Plan on page 93 under Item E.
 4. Implementing Ordinances. The Oregon Business Planning Council is correct in noting that the definitions for partitioning and subdividing lands differ from the state requirement in that the City's definitions are more restrictive. This is within the City's rights. The purpose of this is to provide control for continued development of an area and insure the provision of the necessary improvements.
- B. Concerns felt worth of mention, but not directly affecting goal compliance.
- 1 & 3 City's Transportation System. These two items are closely related and can be addressed with one answer. The City was originally platted with 60 and 70 foot public rights-of-way in the early 1900's. The paving widths were determined on the first paving project within the City some 30 years ago. The City has felt the wide streets have worked very well in its system and the Council is determined to continue maintaining the one standard requirement for all streets within the City of Madras.
 2. Highway by-pass of the City. No firm plans were ever presented to the City by the Oregon State Highway Department. However, the issue has been discussed in vague terms over the years. The City Council determined to go on record as being opposed to the project. The Comprehensive Plan is an official policy statement of the City. Thus, should such a project be contemplated, the entire community would be involved, through changing the Comprehensive Plan. This will bring the maximum amount of citizen involvement into such a program.

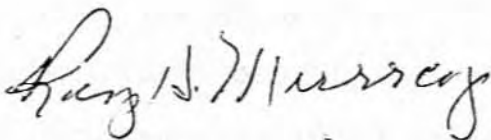
Finally, the City would like to submit an overall comment on all three letters. The Planning process is a long, political process - a very difficult one. The City cannot plan in a vacuum without any regard to its constituency, citizen involvement, political realities, or without regard for existing development. To develop a plan which provides perfect statistical information, balanced with exact land use allocations is unrealistic and unproductive. If this were the case, the plans could all be written in Salem by L.C.D.C. and merely given to the jurisdictions to administer.

Mr. Lloyd Chapman,
Land Conservation & Development Commission
September 11, 1979

Page 5

Sincerely,

CITY OF MADRAS



Ray H. Murray, Mayor

RHM:mas

Enclosure

cc: Mary E. Dorman, Planning Intern
Robert E. Clay, Senior Planner
Housing Division

Steve Pfeiffer, Planning Intern
1000 Friends of Oregon

Jim Jacks, Associate Planning Director
Oregon Business Planning Council

- F. All commercial uses including retail stores, service establishments, professional and other office, recreational enterprises, financial institutions, hotels, apartments, mobile home parks, and similar uses.
- G. Telephone exchange or electrical substations.
- H. Fire, police, or other governmental buildings.
- I. Clubs and lodges.
- J. Electrical equipment assembly sales or repair including the manufacture of small parts such as: coils, condensers, transformers, and crystal holders.
- K. Electrical, plumbing, heating or paint sales, service and repair.
- L. Frozen food lockers.
- M. Garage - automobile, light truck and trailer, or marine sales, rental storage, service and repair.
- N. Laundry or dry cleaning.
- O. Machine shop repair.
- P. Manufacture of artificial limbs, dentures, hearing aides, surgical instruments, and dressings or other devices employed by the medical or dental profession.
- Q. Bakery goods and candy.
- R. Restaurant.
- S. Service Station.
- T. Sign painting shop, sale or repair.
- U. Upholstery shop.

(2) AREA REQUIREMENTS. None.

(3) SETBACK REQUIREMENTS. None, except those required by the Uniform Building Code for prevention of fire. Provided that:

- A. The rear yard shall be a minimum of 10 feet where abutting a residential zone, or
- B. The structure shall not be less than 10 feet from the zone boundary line where abutting the residential zone.



Department of Economic Development

921 S.W. WASHINGTON STREET, PORTLAND, OREGON 97205 PHONE (503) 229-5535

DEPARTMENT OF
LAND CONSERVATION
AND DEVELOPMENT

August 15, 1979

AUG 20 1979

Mr. Wes Kvarsten, Director
Department of Land Conservation
and Development
1175 Court Street, N.E.
Salem, Oregon 97310

SALEM

Dear Wes:

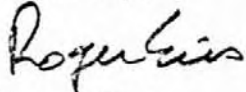
The Department of Economic Development has reviewed the Madras Comprehensive Plan, with particular emphasis on Goal 9 and other goals related to economic development. We have the following comments and recommendations related to plan acknowledgement.

- a. The economic goal statements appear to be clear, consistent, and realistic.
- b. The stated economic goals seem achievable and are supported by the comprehensive plan policies.
- c. The proposed implementation actions to increase water supply at the Madras Industrial Park and to initiate a campaign to attract new industry to the area appears consistent, realistic and achievable.
- d. The proposed actions to expand wholesale and retail trade activities; to expand the tourism and recreation sector; and to expand the airport facilities and service will help contribute to continued economic growth.
- e. Sufficient land allocations for future industrial and commercial growth has been provided.

The socio-economic data contained in the Resource Inventory is outdated. Most of the data is from the 1969-70 time period and is not relevant except for trend purposes. More recent data is readily available and should be utilized in the analysis of the various economic sectors. Hopefully our Department's publication "Jefferson County Economic Information," which was recently mailed to the City of Madras, will be helpful in this regard.

Acknowledgement is recommended with a provision that the socio-economic and labor force data contained in the Resource Inventory and Economic Analysis sections be revised to include the most current information available.

Sincerely,



Roger Eiss,
Deputy Director

RE:nb

SALEM

Department of Transportation

HIGHWAY DIVISION

TRANSPORTATION BUILDING, SALEM, OREGON 97310

August 24, 1979

In Reply Refer to
File No.:

Mayor Ray Murray
City of Madras
City Hall
Madras, OR 97741

Dear Mayor Murray:

We would like to commend your community for a well-written comprehensive plan. Our staff has reviewed your plan and ordinances in light of our Department's programs and we are pleased to support their acknowledgement.

We do however, have a few comments for your consideration when the plan is updated. Our first comment refers to the following statement on page 39 of the plan "The average daily traffic (ADT) on Highway 97 is above the safe capacity of the highway, as determined by the Oregon Highway Division." This statement is incorrect. The highway is not near capacity nor is it unsafe. We ask that this sentence be deleted from the plan when it is next updated.

Our second comment regards the Madras City-County Airport. Page 56 of the plan describes the airport and its operations. When the plan is updated we ask that there be recognition of the need for compatible land uses around this city-owned facility. It would also seem beneficial to include a recommendation for coordination between the City and Jefferson County to ensure such compatibility of land uses in this area.

The Department would like to be involved in future updates of the plan and ordinances. It will be helpful if you direct information on future plan updates to John Holcomb, our Transportation Planning Representative and Donna Weid, Parks Planning Representative. We would also appreciate your sending John notice of applications for zone changes and subdivisions along state highways. Addresses and phone numbers for John and Donna are enclosed.

A copy of this letter is being forwarded to the Department of Land Conservation and Development in support of your acknowledgement request.

Sincerely,

ORIGINAL SIGNED BY
R.E. ROYER

Robert E. Royer, Assistant Director
Policy and Program Development

Enclosure

cc: Brent Lake
Wes Kvarsten/Lloyd Chapman
Brian Christian
John Holcomb
Donna Weid

The first part of the report deals with the general situation of the country and the progress of the work during the year. It is followed by a detailed account of the various projects and the results achieved. The report concludes with a summary of the work done and the plans for the future.

The work has been carried out in accordance with the programme of work approved by the Council of the League of Nations. It has been a year of hard work and many achievements have been made. The results of the work are set out in the following pages.

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22
Department of Environmental Quality

SEP 10 1979

522 SOUTHWEST 5TH AVE. PORTLAND, OREGON


MAILING ADDRESS: P.O. BOX 1760, PORTLAND, OREGON 97207



VICTOR ATIYEH
GOVERNOR

• MEMORANDUM

TO: Lloyd Chapman, DLCD Lead Reviewer DATE: September 6, 1979

FROM: Bob Jackman 

SUBJECT: Department of Environmental Quality Review and Comment on
Compliance Acknowledgment Request - Madras

Comments

Robert Danko, DEQ Central Region, Bend, comments that the plan should mention DEQ's requirements for acting on site specific proposals inside the urban growth boundary. DEQ cannot unconditionally issue such actions as permits without a city statement that the proposal is compatible with local planning and ordinance requirements. We need county concurrence for sites outside the city limits.

Danko's specific comments are itemized as follows:

<u>Topic</u>	<u>Page</u>	<u>Comment</u>
Air Quality	18	Too brief a statement on existing air quality.
	79	Adequate policy statement supporting state and federal air quality standards.
Noise	--	Could not find any mention of noise in the plan.
Solid Waste	50	Only one sentence discusses the existing situation.
	61	City supports a waste recycling center.

SEP 10 1979

Lloyd Chapman
September 6, 1979
Page 2

Water Quality	18, 19	Good write-up of existing situation with regard to sewers and use of drill holes.
	49	Discusses existing sewerage facility, which is adequate.
	78	A policy statement to maintain state and federal water quality standards.
	92 (Plan) I-7, II-4, II-11 (Subdivision Ordinance)	Plan and ordinance requires developers of large lot subdivisions inside urban growth boundary to submit redevelopment plans with initial plats. This is the city and county effort to deal with the 10,000 square feet per lot zoning in existence outside the city since 1973. In print, language adequately controls large lot subdivisions for future sewerage. In practice, county planning and building officials must watch closely to be successful.
	--	No mention of groundwater protection or stormwater runoff control.

Mike Ziolkko, DEQ Air Quality Division and Jerry Jensen, Noise Control Section, Portland, urge development of needed discussions in the plan and ordinances on these two topics. As previously requested, DEQ's Handbook for coordinating land use with environmental quality should be utilized by Madras to determine what constitutes adequate discussions for the documents.

Bob Brown, DEQ Solid Waste Division, urges expansion of the "one liner" in the plan to include such needed references as an estimate of the existing disposal site's life.

Neil Mullane, DEQ Water Quality Division comments. Three wells comprise the source of Madras' water supply, supplemented in the summer by North Unit Irrigation water. Obviously the ground water resource is important to Madras. The city might consider a specific policy statement under Goal 6, page 78. This would express their desire to protect and maintain groundwater quality.

Lloyd Chapman
September 6, 1979
Page 3

SEP 10 1979

If the matters noted above are dealt with during Comprehensive Plan maintenance and update, it appears to DEQ that no substantive conflicts will exist between the Madras Comprehensive Plan and DEQ plans and programs.

No Objection

The Department does not object to LCDC Acknowledgment of the Madras Comprehensive Plan. However, we request that LCDC authorize and encourage Madras to develop and include in their Plan the needed improvements identified above as soon as possible.

RDJ:a
MQ6046.A2

cc: Madras

Brent Lake, DLCD Field Representative
Robert Martin, Local Coordinator
Dick Nichols, Central Region, DEQ
Jim Claypool, DLCD
William H. Young, Director, DEQ
Mike Downs, Management Services, DEQ
Jack Weathersbee, Air Quality Division, DEQ
Mike Ziolkko, Air Quality Division, DEQ
Hal Sawyer, Water Quality Division, DEQ
Ernie Schmidt/Bob Brown, Solid Waste Division, DEQ
John Hector/Jerry Jensen, Noise Control Section, DEQ
Fred Bolton, Regional Operations Division, DEQ
Chris Zigler, DLCD

The first part of the report deals with the general situation of the country and the progress of the work during the year. It is followed by a detailed account of the various projects and the results achieved. The report concludes with a summary of the work done and the plans for the future.

The work has been carried out in accordance with the programme of work approved by the Council of the Institute. It has been carried out in a most efficient and economical manner and the results are of a high standard.

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AN ORDINANCE ADOPTING ADDENDUM NUMBER 1 TO THE COMPREHENSIVE PLAN FOR THE CITY OF MADRAS AS ADOPTED BY ORDINANCE NUMBER 376 AND DECLARING AN EMERGENCY.

WHEREAS, The City of Madras by and through its Planning Commission conducted a series of hearings and studies to develop a Comprehensive Plan for the City of Madras, which was then approved, and,

WHEREAS, The City of Madras having reviewed said plan, adopted the same by Ordinance Number 376, which was passed by the Common Council and approved by the Mayor on the 27th day of June, 1979, and,

WHEREAS, on October 11, 1979, a hearing was held before the Land Conservation and Development Commission of the State of Oregon, and at said hearing the commission noted certain portions of the plan which needed further amplification on historical sites, water availability, demonstration of need for residential land, explanation of urban growth, explanation of housing mix, amplification of population projection and other items, and offered a 120 day extension, and,

WHEREAS, the members of the council and other city officials met on the 19th day of October, 1979, to assist in developing an Addendum to supply corrections required by the Land Conservation and Development Commission, and,

WHEREAS, the City Planning Commission set a hearing to be held at 7:00 p.m., November 13, 1979, at The City of Madras chambers. Said hearing was advertised by a notice in the Madras Pioneer, a newspaper of general circulation in Jefferson County, Oregon, and said hearing was held, and changes, corrections and additions were duly noted and an Addendum to the Comprehensive Plan read, discussed and approved, and,

WHEREAS, the revision of said Addendum has now been presented to the council, the council has fully considered all said information and finds that the Addendum to the Comprehensive Plan is correct and satisfactory, and,

WHEREAS, the City Council finds that the statistical analysis is consistent with the council's understanding of potential growth in the area and, in effect, has updated statistics which were as early as 1977, and needed to be updated due to development since that time in Jefferson County.

NOW THEREFORE, THE CITY OF MADRAS ORDAINS AS FOLLOWS:

Section 1: The Madras City Council finds that said Addendum Number 1 is in proper form, reflects the present planning based on the goals of the Land Conservation and Development Commission and that a public hearing was properly advertised and held on November 13, 1979, by the Madras Planning Commission.

Section 2: The Addendum Number 1 to Madras Comprehensive Plan, which is filed in the office of the City Recorder and is an Addendum to the Comprehensive Plan of the City of Madras, adopted in Ordinance Number 376, is hereby adopted as an Addendum to the Comprehensive plan for the City of Madras, from and after the date this Ordinance takes effect.

Section 3: It is hereby adjudged that existing conditions are such and the need for the planning implementation is so urgent that this Ordinance is necessary for the immediate preservation of the peace and general welfare and safety of the citizens of the City of Madras, and an emergency is hereby declared to exist; and this Ordinance shall take effect and be in full force and effect from and after its adoption by the Common Council of the City of Madras and its signing by the Mayor.

Passed by the Common Council this 13th day of November, 1979.

AYES: 4

NAYS: 0

Approved by the Mayor this 13th day of NOVEMBER, 1979.

David Murray
Mayor

ATTEST:

AP Miller
Recorder

RODRIGUEZ, NEILSON, GLENN & WILKINSON
406 5th Street
MADRAS, OREGON 97741
PHONE 475-2272

The first part of the report deals with the general situation of the country and the progress of the work during the year. It is followed by a detailed account of the various projects and the results achieved. The report concludes with a summary of the work done and a list of the names of the persons who have taken part in it.

The work has been carried out in accordance with the programme of work approved by the Council of the League of Nations. It has been a most successful one and has resulted in the publication of several important documents. The results of the work are set out in the following chapters.

The first chapter deals with the general situation of the country and the progress of the work during the year. It is followed by a detailed account of the various projects and the results achieved. The report concludes with a summary of the work done and a list of the names of the persons who have taken part in it.

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DOCUMENTS
LOCAL

Madras
(1980)



VICTOR ATIYEH
GOVERNOR

Department of Land Conservation and Development

1175 COURT STREET N.E., SALEM, OREGON 97310 PHONE (503) 378-4926

February 12, 1980

The Honorable Ray Murray
Mayor, City of Madras
416 - 6th Street
Madras, OR 97441

Dear Mayor Murray:

It gives me a great deal of pleasure to confirm that the Oregon Land Conservation and Development Commission, on January 30, 1980 officially acknowledged the comprehensive plan and implementing ordinances of the City of Madras as being in compliance with ORS 197 and the Statewide Planning Goals.

The acknowledgment signifies an important step for the City's land use planning program. Madras is one of the first of Oregon's cities to be in compliance with the Statewide Goals. By effectively planning ahead for the wise use of your valuable land, you have set an excellent example for others to follow.

I would like to commend the city officials, staff, and citizens of your community for their hard work and foresight in the field of land use planning.

Congratulations,

W. J. Kvarsten
Director

Enclosure

cc: Judge Herschel Read, Jefferson County Court
Robert Martin, County Coordinator
Brent Lake, Field Representative
Dan Meader, Planning Consultant

WJK:LC:krh
1258A/63A

BEFORE THE
LAND CONSERVATION AND DEVELOPMENT COMMISSION
OF THE STATE OF OREGON

IN THE MATTER OF THE CITY OF MADRAS

)
)

COMPLIANCE ACKNOWLEDGMENT
ORDER

On June 28, 1979, the City of Madras, pursuant to ORS Ch. 197.251(1) (1977 Replacement Part), requested the Land Conservation and Development Commission acknowledge that the comprehensive plan and implementing ordinances, consisting of the Comprehensive Plan, Ord. 376, adopted June 20, 1979, adopted by Jefferson County, Ord, No. 0-98-79, June 27, 1979; City of Madras Zoning Ordinance, No. 377, adopted June 28, 1979; City of Madras Subdivision Ordinance No. 378, adopted June 28, 1979; Ordinance adopting the National Flood Insurance Program, No. 360, May 10, 1977; are in compliance with the Statewide Planning Goals.

ORS 197.251(1) requires that the Commission review and approve or deny the request within 90 days. The Commission reviewed the written report of the staff of the Department of Land Conservation and Development on October 11, 1979 regarding the compliance of the aforementioned plan and ordinances with the Statewide Planning Goals. Pertinent portions of that report (Attachment A Section IV) are attached hereto and constitute the findings of fact of the Commission.

Based on its review the Commission found that the aforementioned comprehensive plan and implementing measures did not comply with the Statewide Planning Goals 5, 10, 11 and 14 adopted by the Commission pursuant to ORS Ch. 197.251(1) (1977 Replacement Part).

On December 3, 1979, the City of Madras submitted to the Department an addendum to its Comprehensive Plan and implementing measures.

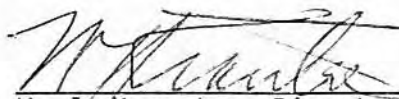
The Commission reviewed the attached written report of the staff of the Department of Land Conservation and Development on January 30, 1980, regarding the compliance of the aforementioned plan and measures with the Statewide Planning Goals. Section IV of the report (Attachment B) constitutes the findings of the Commission.

Based on its review, the Commission finds that the City of Madras' comprehensive plan and implementing measures comply with the Statewide Planning Goals adopted by this Commission pursuant to ORS Ch. 197.225 and 197.245.

Now therefore be it ordered that:

The Land Conservation and Development Commission acknowledges that the aforementioned comprehensive plan and implementing measures of the City of Madras are in compliance with the Statewide Planning Goals.

Dated this 12th day of February, 1980.


W. J. Kvarsten, Director
for the Commission

WJK:LC:krh
1258A

The first part of the report deals with the general situation of the country and the progress of the work during the year. It is followed by a detailed account of the various projects and the results achieved. The report concludes with a summary of the work done and the plans for the future.

The work during the year has been very successful and has resulted in many important discoveries. The progress made in the various projects has been very satisfactory and it is hoped that the results will be of great value to the country.

The following table shows the results of the work done during the year:

Project	Results
Project A	...
Project B	...
Project C	...
Project D	...
Project E	...

The results of the work done during the year have been very satisfactory and it is hoped that the results will be of great value to the country.

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LAND CONSERVATION AND DEVELOPMENT COMMISSION

ACKNOWLEDGMENT OF COMPLIANCE

City of Madras

DATE OF REQUEST: June 28, 1979 DATE OF COMMISSION ACTION: October 11, 1979

I. REQUEST: Acknowledgment of Compliance with the Statewide Planning Goals for the comprehensive plan and implementing measures.

II. SUMMARY OF RECOMMENDATIONS:

A. Staff:

Recommends that the Commission offer to continue the City of Madras' acknowledgment request for 120 days to amend the plan and implementing measures to be in compliance with Statewide Planning Goals 5, 10, 11 and 14.

B. Local Coordination Body:

None received, however County has adopted the plan.

FIELD REPRESENTATIVE: Brent Lake
Phone: 389-2253

COORDINATOR: Robert Martin
Phone: 475-3147

LEAD REVIEWER: Lloyd Chapman
Phone: 378-4932

Date of Report: September 27, 1979

III. BACKGROUND INFORMATION:

A. GEOGRAPHY:

The City of Madras, County seat of Jefferson County, is located in the center of the County, 40 miles north of Bend and 90 miles south of The Dalles on U.S. 97.

B. GOVERNING BODY:

The City is governed by a seven-member City Council headed by the Mayor.

C. POPULATION:

1978 - 2,180
1975 - 1,970
1970 - 1,689
1960 - 1,515
1950 - 1,258
1940 - 412

D. PLAN AND IMPLEMENTING MEASURES:

City of Madras Comprehensive Plan, Ord. 376, adopted June 20, 1979, adopted by Jefferson County, Ord. No. 0-98-79, June 27, 1979.

City of Madras Zoning Ordinance, No. 377, adopted June 28, 1979.

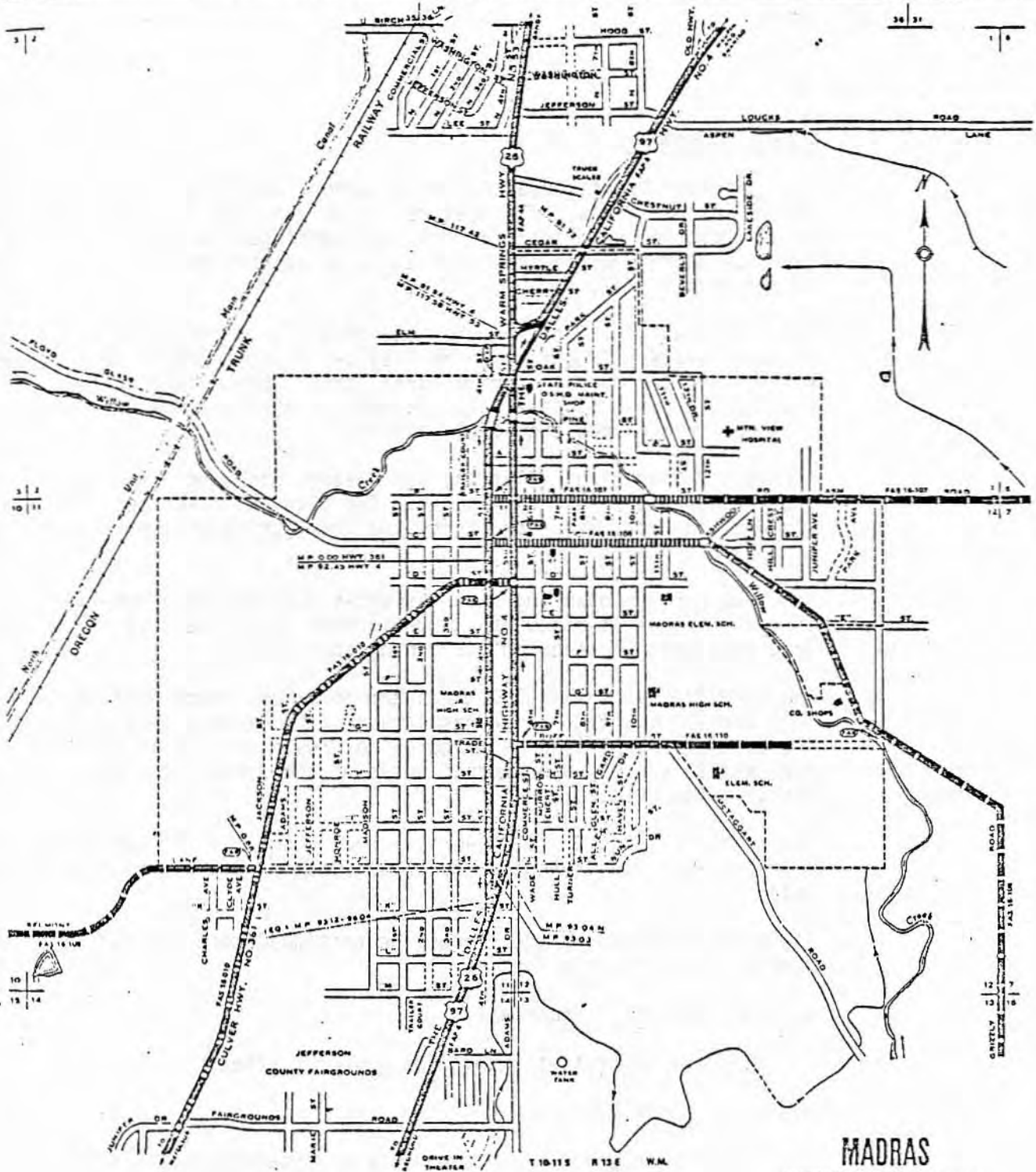
City of Madras Subdivision Ordinance, No. 378, adopted June 28, 1979.

Ordinance adopting the National Flood Insurance Program, No. 360, May 10, 1977.

E. COMPLIANCE STATUS:

In December 1976 the City received a planning extension and a compliance date of June 30, 1978. Subsequent planning extensions and compliance date changes were granted.

The City received a planning assistance grant (jointly with Jefferson County, Metolius and Culver) for approximately \$9,000 in July 1977.



MADRAS

JEFFERSON COUNTY, OREGON

PREPARED BY THE
OREGON STATE HIGHWAY DIVISION
IN COOPERATION WITH
U.S. DEPARTMENT OF TRANSPORTATION
FEDERAL HIGHWAY ADMINISTRATION

Population 1,910

Scale in Feet

Revised
October 1973

LEGEND

- | | |
|-------------------------------------|---------------------------|
| FEDERAL AID INTERSTATE SYSTEM | INTERSTATE NUMBERED ROUTE |
| FEDERAL AID PRIMARY SYSTEM | U.S. NUMBERED ROUTE |
| FEDERAL AID SECONDARY SYSTEM STATE | STATE NUMBERED ROUTE |
| FEDERAL AID SECONDARY SYSTEM COUNTY | |
| OTHER FEDERAL AID SECONDARY LOCAL | |
| TERMINATION OF FA SYSTEM | |
| TERMINATION OF ROUTE | |
| DIVIDED HIGHWAY | POST OFFICE |
| UNDIVIDED HIGHWAY NO. OF LANES | SCHOOL |
| STREET OPEN FOR TRAVEL | CITY HALL |
| STREET DEDICATED BUT NOT OPEN | COURT HOUSE |
| | R.R. DEPOT |
| | ARMY |
| | LIBRARY |
| | WATER TANK |

IV. FINDINGS:

A. General Overview:

The Jefferson County area of Central Oregon was first settled by whites in the 1860's. The area relied on ranching and little development occurred until the railroad was completed in 1911. This was the year Madras was incorporated and also saw the beginning of irrigation in the area.

The City lies in a basin at the head of Willow Creek at an elevation of approximately 2300 feet. The City serves as a retail service center for the surrounding agricultural land. Agriculture and timber provide the basis for the local economy, though the work force in this sector declined from 1960 to 1970.

Tennison Engineering's Planner, Dan Meader, assisted the City in preparing the plan and ordinances. The plan was developed in close cooperation with Jefferson County and both jurisdictions adopted the plan by ordinance.

The plan surveys planning area resources and sets development policies. The area is somewhat unique in that nearly half of the urban area population resides in the urbanizable area.

The city limits contain 750 acres and an urban growth area of nearly 1400 acres including the Madras Industrial Park have been approved. The existing population is expected to grow from 4000 to 5600 over the next 20 years. One hundred acres of the urbanizable area are in agricultural production.

Statewide Planning Goals 3 (Agricultural Lands), 4 (Forest Lands), 15 (Willamette River Greenway) and 16-19 (Coastal Goals) are not applicable.

Staff is recommending the request be continued to allow the City to address the following issues:

Goal 5: (Natural Resources)

Failure to protect identified historic sites.

Goal 10: (Housing)

Failure to project housing needs by type and assure sufficient land to meet those needs.

Goal 11: (Public Facilities)

Failure to address water service in the urbanizable area.
Failure to address storm water.

Goal 14: (Urbanization)

Failure to demonstrate residential need for the urbanizable area.

B. Applicable Goals:

1. Citizen Involvement: (Goal 1)

The Madras citizen involvement program was approved in December 1976. The program calls for involvement in all phases of the planning process. The major techniques relied on were workshops and public hearings with an emphasis on publicity, notice and communication (Plan, pp. 5-7).

City policy requires all future plan amendments (minor and major) to use the adopted citizen involvement program (Plan, pp. 95-6).

Conclusion: The City of Madras complies with Goal 1.

2. Land Use Planning: (Goal 2)

The City of Madras has prepared a comprehensive plan based on data, inventories and background information. The Plan includes policy choices made by the City and generally includes reasons for the decisions made. Subdivision and zoning ordinances have been adopted to carry out the plan.

The Oregon Business Planning Council has objected to the acknowledgment based on definitions of "partition" and "subdivision" contained in the zoning and subdivision ordinance.

The plan includes an Administrative Procedures Section (pp. 94-100) which requires plan review every two years and establishes revision procedures. Procedures for revision of the urban growth boundary are also included in this section.

The agency involvement program is included in the plan and its use in future plan amendments is required (Plan, pp. 95-96). The Housing Division is the only state agency to object to the plan (see discussion under Goal 10).

Conclusion: The City of Madras complies with Goal 2.

The City has prepared inventories and adopted policies and implementation measures consistent with Goal 2.

The differences in definitions between the Ordinances and ORS ch 92 are insignificant and not a Goal violation.

The Plan's Administrative Procedures Section is an excellent example of a format which assures that important Goal 1 and 2 issues are addressed in future plan revisions.

3. Open Spaces, Scenic and Historic Sites, and Natural Resources:
(Goal 5)

The acknowledgment request contains the following to comply with this Goal:

Factual Information: Plan, pp. 16, 17 and 17a

Plan Policies: Plan, p. 68

Implementation: Zoning Ord. p. 17, Flood Plain Ordinance

Inventory

The plan indicates that most Goal 5 resources are not found in Madras (pp. 16-17). Only open spaces, wildlife habitat, scenic views, groundwater and historic resources are found in the City (Plan, pp. 16-17). The City has surveyed open space, wildlife habitat and scenic resources and found no unique or particularly valuable areas or resources within the planning area.

An objection from 1000 Friends of Oregon states that the inventories of open space and natural resources are inadequate.

Six historic sites found on the Statewide Inventory have been identified and mapped (Plan, pp. 17 & 17a).

Policies

The following plan policies (p. 78) have been adopted:

- "a) Preserve the scenic vistas afforded by the Cascade Mountain Range.
- b) Preserve the old city hall and jail.
- c) Continue to support and cooperate with the Jefferson County Museum Association."

The second story of the old city hall is being converted into a museum operated by the Jefferson County Museum Association (Plan, p. 17).

The 1000 Friends objection also states that these policies are inadequate to protect resources.

Implementation

An open space zone is included in the zoning ordinance (p. 17) which allows parks and public facilities as permitted uses. Height restrictions are applied to all development which serves to preserve scenic vistas. The flood plain of Willow Creek (an intermittent stream) cuts across the City from east and west and development in the area is limited by the flood plain ordinance.

Conclusion: The City of Madras does not comply with Goal 5.

Goal 5 requires jurisdictions to inventory resources, identify conflicting uses and adopted programs to achieve the Goal where conflicting uses occur. Madras has inventoried historic sites but failed to identify conflicting uses and adopt programs to achieve the Goal for four historic sites in private ownership. The plan notes that "the City will cooperate with the Museum Association should any of the structures become available for restoration" and "support and cooperation" are stressed in Plan Policy C. But no policies or ordinances have been adopted which assure that the resources are preserved or even that the historic value of the sites is recognized when conflicting uses are considered.

The Department does not concur with 1000 Friends objection on inventory requirements. The plan indicates that vacant land serves as open space and that no major open space resources exist within the planning. The City contends that Willow Creek, an intermittent stream, is not a natural resource as defined in the Goal. The stream bed is protected from some development by a flood plain ordinance in any case.

In order to comply with this Goal, the City of Madras must adopt policies and/or ordinances that provide procedures to protect identified historic sites from conflicting uses.

4. Air, Water and Land Resources Quality: (Goal 6)

The acknowledgment request contains the following to comply with this Goal:

Factual Information: Plan, pp. 18-19

Plan Policies: Plan, p. 78

Implementation Measures: Zoning Ord. pp. 15-16

The plan notes that air quality is generally good in the area (Plan, p. 18). Five or six area plants are known to generate pollution, but they are not known to violate state and federal standards.

Water quality is discussed in some detail in the plan. There are no year 'round streams in the area, but surface water is a problem because of an impervious sandstone layer which blocks percolation and keeps septic tank wastes in very shallow and inadequate topsoil (Plan, pp. 18-19).

Conclusion: The City of Madras complies with Goal 6.

5. Areas Subject to Natural Disasters and Hazards: (Goal 7)

The acknowledgment request contains the following to comply with this Goal:

Factual Information: Plan, pp. 1, 19-20

Plan Policies: Plan, p. 79

Implementation Measures: Flood Plain Ordinance

The plan (pp. 19-20) states that flooding from Willow Creek is the only significant natural hazard in the area. Landslides, earthquakes and weak foundation soils are not problems in the planning area.

The Willow Creek flood plain has been mapped (Plan, p. 20a) and is treated as an overlay of existing zoning. The flood plain ordinance limits development in the overlay zone. The ordinance qualifies the City as a participant in the National Flood Insurance Program.

Plan Policy (p. 79) requires the City to comply with the ordinance.

Conclusion: The City of Madras complies with Goal 7.

6. Recreational Needs: (Goal 8)

The acknowledgment request contains the following to comply with this Goal:

Factual Information: Plan, pp. 21-23

Plan Policies: Plan, p. 79

Implementation Measures: Zoning Ord. p. 17

The plan includes a discussion of recreational facilities in Madras and the surrounding area. Recreational needs are also identified (Plan, pp. 21-23).

Plan policies have been adopted to encourage development of needed recreational facilities.

The zoning ordinance includes an open space zone in which parks are a permitted use.

Conclusion: The City of Madras complies with Goal 8.

7. Economy of the State: (Goal 9)

The acknowledgment request contains the following to comply with this Goal:

Factual Information: Plan, pp. 23-42

Plan Policies: Plan, p. 80

Implementation Measures: Zoning Ord. pp. 11-16

An overall economic development plan for Jefferson County was completed in 1977 and much information from that plan has been included in the Comprehensive Plan. Data on population, labor force, income, employment, economic sectors and major employers is included.

An analysis of future economic development is also included (Plan, pp. 41-2) with a discussion of the allocation of land for commercial and industrial uses. The Madras Industrial Park has been included within the UGB and additional services to the area are a high priority.

Conclusion: The City of Madras complies with Goal 9.

The Department of Economic Development reviewed and complimented the City on their economic element (letter attached).

8. Housing: (Goal 10)

The acknowledgment request contains the following to comply with this Goal:

Factual Information: Plan, pp. 42-47, 66-71

Plan Policies: Plan Map, Plan, p. 81

Implementation Measures: Zoning Ord. pp. 8-11, 20-22, 28-30

Buildable Lands Inventory

Goal 10 defines buildable land as "...lands in urban and urbanizable areas that are suitable, available, and necessary for residential use" (emphasis added).

Lands Suitable and Available

The plan shows that 120 acres of 365 residentially zoned acres within the City are undeveloped and outside of the flood plain of Willow Creek. Much of this land is intermingled with existing residential development through ownership of more than one lot. Little of this platted land is considered available for future development by the City (pp. 66-68).

The unincorporated urbanizable area within the UGB includes 1034 acres of land designated in the plan for residential use. This area contains a population of approximately 2000 people. Only 263 acres are considered suitable and available for future residential development (Plan, p. 68). Most of the remainder is considered developed. The plan does not indicate how much, if any, of the developed land may be available for infilling.

Land Necessary for Residential Development

The plan (p. 42), provides the following information on current housing mix within the city limits:

	<u>1970</u>	<u>1970-77</u>	<u>Total</u>
Single Family:	412	32	439*
Multifamily:	151	27	178
Mobile Homes	46	1	47
	<u>609</u>	<u>60</u>	<u>664</u>

*Includes five demolitions.

No information on housing in the urbanizable area is provided.

Based on their population projection and three person per dwelling unit, the City has projected a need for 533 residential units. The City has not completed an analysis of need by housing type. Housing Division, 1000 Friends and the Oregon Business Planning Council have all objected on the grounds that this fails to comply with the Commission's Housing Policy.

Sufficiency of Land to Meet Needs

To meet their residential need of 533 units, the plan provides 291 acres of buildable land in the single family (R-1) designation and 52 acres in the multifamily (R-2) designation. All of the R-2 land is in the city limits (Plan, p. 66) and a high percentage is platted. The plan states that most of the vacant platted lots are not for sale and not available for residential use (Plan, pp. 45, 67-68).

Policies

The City has adopted the following housing policies:

"Policies - The City shall:

- a) Provide buildable land for a variety of housing types.
- b) Encourage development of suitable housing to satisfy all income levels."

Implementing Measures

The City's plan and zone maps are identical and the two residential designations are carried through the zoning ordinance.

The Single Family Residential (R-1) zone lists single family dwellings, duplexes and modular home subdivisions as permitted uses (Zoning Ord. p. 8).

Lot size for single family dwellings in 7500 square feet. The Housing Division and 1000 Friends have objected to the City "raising" the minimum lot size from 5000 to 7500 feet as an obstacle to affordable housing. The City states in the attached letter that the newly adopted ordinance did not change the minimum lot size standard, but maintained an existing standard. The change from 5000 to 7500 feet was made in 1964 and the provisions in the ordinance are simply to allow for development on 5000' lots created prior to 1964.

The Multiple Family (R-2) Residential Zone permits single family dwellings and boarding houses and multiple family dwellings with site plan approval (Zoning Ord. pp. 9-10). Apartments, motels and mobile home parks are permitted with site plan approval in the Commercial and Industrial Zones (corrected Zoning Ord. p. 12 and pp. 13 and 15). Mobile home parks are a conditional use in the R-2 Zone.

The Housing Division and 1000 Friends have objected to the site plan approval standards. Site plan approval requires that the following objectives and standards be applied (Zoning Ord. pp. 20-22):

- "(1) PURPOSE. The purpose of site plan approval is to determine compliance with the objectives of this ordinance in those zoning districts where inappropriate development may cause a conflict between uses in the same or adjoining zoning district by creating unhealthful or unsafe conditions and thereby adversely affect the public health, safety, and general welfare.

"(2) Within 35 days after the submission of a complete site plan, the Site Plan Committee shall approve, approve with conditions, or disapprove the site plan. Failure to render a decision within the 35 day period shall be deemed approval of the plan as submitted. In approving the plan, the committee shall find that all provisions of this ordinance are complied with; and that all buildings and facilities, access points, parking and loading facilities, signs, lighting and walls or fences are so arranged that traffic congestion is avoided and pedestrian and vehicular safety and welfare are protected, and that adverse impacts on surrounding property will be minimized. The decision of the Committee shall be forwarded to the City Council."

The objection specifically mentions the standard "that adverse impacts on surrounding property shall be minimized."

The objection from 1000 Friends also challenges the conditional use standards in the ordinance because of their application to mobile home parks in the R-2 zone. Parks are permitted with site plan approval in Industrial and Commercial zones.

Conclusion: The City of Madras does not comply with Goal 10.

The Department's review and objectors have raised the following major issues:

Housing Needs by Type, Sufficiency of Buildable Lands, Minimum Lot Sizes, and Site Plan Approval

Housing Needs by Type

Objectors argue that adequate buildable lands cannot be assured without a projection of housing needs by type. The City has completed an inventory of housing stock and of building permits since 1970. They have not projected future housing by type. The City argues that adequate land is provided and that such an analysis is meaningless (letter, 9/11/79). Complexity is added to this issue because of the extent of development in the urbanizable area. The City has good data on housing mix within the City, however, almost half of the population of the area lives outside the city limits for which no information is provided. Without information on future housing need by type, it is impossible to determine whether adequate land is available.

Sufficiency of Buildable Lands

The objection from 1000 Friends (attached) argues that the need for multifamily dwellings and mobile homes are not provided for. The restrictions placed on these uses are summarized in the following chart:

<u>USE</u>	<u>ZONE</u>		
	<u>R-1</u>	<u>R-2</u>	<u>C-1/M-1/M-2</u>
Multifamily	---	SPA	SPA
Modular Home Sub. (20 feet or more wide)	P	---	---
Mobile Home Park	---	C	SPA*

P=Permitted; C=Conditional; SPA=Site Plan Approval

*The City has provided a corrected page 12 of the Zoning Ordinance which lists mobile home parks as a permitted use with site plan approval in the C-1 zone, thereby making it a permitted use with site plan approval in both industrial zones as well.

The R-2 zone is designated only within the city limits and covers 101 acres. The City has indicated that 59 acres are suitable for development, but notes that many platted vacant lots are not for sale and not available for development.

Thus, much of the multifamily and mobile home needs may have to be met in commercial and industrial zones. Without a projection of housing needs by type, it is impossible to determine if sufficient land has been provided. Further, the Department questions the City's decision to locate most of its multifamily and mobile home units in commercial and/or industrial areas.

Minimum Lot Sizes

The City has used a lot size of 7500' for 15 years and has not raised that in this ordinance. Five thousand square foot lots created prior to 1964 can be developed. Furthermore, the City's 7500 square foot lot size establishes a reasonable urban density and is not in conflict with the Goal's purpose of providing affordable housing.

The Department does not concur with objectors in this point.

Site Plan Review

The Department reviewed the City's site plan approval process for consistency with the Commission's Housing Policy and the "clear and objective" standard. 1000 Friends argue that the required findings are vague and subjective and Housing Division notes that the Site Plan Committee can disapprove the request.

The only standard which the Department believes could be viewed as "vague and discretionary" is the requirement "that adverse impacts on surrounding property will be minimized." Given the City's decision to permit outright commercial, residential and in some areas industrial uses in the same zone, the Department believes this standard is reasonable. The procedures do allow the City to disapprove the site plan, but not the use.

(While the Department concurs with 1000 Friends that conditional use standards included in the ordinance are vague and discretionary, little of the need for mobile home parks will be met in the R-2 zone, the only area where the standards apply to residential use.)

In order to comply with this Goal, the City must:

1. Consider existing housing mix in both the urban and urbanizable area;
2. Determine future housing need by type of unit; and
3. Demonstrate that sufficient land zoned to permit the use is provided to meet those needs. The City must consider providing a sufficient amount of R-2 land to meet multi-family needs.

9. Public Facilities and Services: (Goal 11)

The acknowledgment request contains the following to comply with this Goal:

Factual Information: Plan pp. 47-53, 54a

Plan Policies: Plan, p. 81

Implementation Measures: Zoning Ord pp. 9, 11, 13; Subdivision Ordinance, Article III

Sewer

The City has a new (1975) sewage treatment facility adequate to serve more than 5000 people (Plan, p. 47). There are no combined sewers or overflows connected to the system and no infiltration problems have been discovered.

Water

The City provides water to City residents from three wells and additional water from the North Unit Irrigation District in the summer (Plan, pp. 47-49). Capacity of the system is more than 5000 (Plan, p. 47).

A plan policy (p. 93) states that "the City may not be able to provide community water services to areas both inside and outside the existing city limits. Therefore, it is understood that within these areas, as of the date of this plan, the Deschutes Valley Water District may be requested to provide domestic water service to these urbanizing areas."

On page 63, the plan discusses the availability of domestic water from Deschutes Valley for areas outside the UGB. However, there is no general discussion of the provision of water service in the urbanizable area.

Other Services

In addition, the following services are also discussed: Police, Fire, Health, Schools, Solid Waste and Organization.

The plan does not include a discussion of storm drainage. New subdivisions are required to provide for storm drainage.

Plan Policies

The plan includes the following policies:

"Policies - The City shall:

- (a) Continue to support the school district in providing adequate education facilities.
- (b) Provide urban services as required to the urbanizing areas of the City.
- (c) Insure the provision of urban services -- street, water and sewer -- as new developments occur."

The plan and implementing measures require future urban development to be preceded by annexation and for sewer services to be provided by the City (Plan, p. 74).

Conclusion: The City of Madras does not comply with Goal 11.

The City has not completed an inventory of water service to the urbanizable area and assured the orderly and efficient provision of water service to that area. No standards have been established to indicate when Deschutes Valley "may be requested" to provide water service.

In order to comply with this Goal, the City must:

- 1) Inventory water service in the urbanizable area and assure the orderly and efficient provision of service in that area.
- 2) Assess storm drainage problems and issues and address appropriately in policies and ordinances.

10. Transportation: (Goal 12)

The acknowledgment request contains the following to comply with this Goal:

Factual Information: Plan pp. 22-23 and 53-60

Plan Policies: Plan pp. 79 and 82-83

Implementation Measures: None

The plan includes a lengthy discussion of highway, rail, air and freight travel. Facilities are inventoried and problems identified. Pedestrian travel is also discussed (p. 39) and use of bicycles is handled in the recreation section (pp. 22-23).

Policies in the plan commit the City to resolving transportation problems identified in the inventory section. Policies are also included encouraging the State Highway Department to take specific steps to improve traffic circulation. Other policies (p. 79) address bicycle travel and the transportation disadvantaged (p. 59).

Conclusion: The City of Madras complies with Goal 12.

11. Energy Conservation: (Goal 13)

The acknowledgment request contains the following to comply with this Goal:

Factual Information: Plan p. 61

Plan Policies: Plan pp. 83-84

Implementation Measures: none

The plan notes that no energy sources exist in the City. Conservation achieved through other plan elements is discussed (urbanization, Uniform Building Code, residential infilling).

Plan policies encourage the efficient use of utilities and the development of alternate energy sources. The City also supports a waste recycling center (p. 61).

Conclusion: The City of Madras complies with Goal 13.

12. Urbanization: (Goal 14)

The acknowledgment request contains the following to comply with this Goal:

Factual Information: Plan pp. 13-14, 24-25, 42-47, 62-76, 85-93a

Plan Policies: Plan pp. 76, 84-93, 97-100

Implementation Measures: Subdivision Ord. p. II-11

The City and Jefferson County have adopted the Madras Comprehensive Plan, thereby adopting the urban growth boundary and management plan for the urbanizable area.

The following chart summarizes land areas involved (from Plan pp. 66 and 68):

Designation	City Limits (Acres)	Urbanizable Areas (Acres)	Developed Urbanizable Area (Acres)
R 1	263	905	682
R 2	101	--	
C 1	126	129	88
M 1	31		
M 2	--	302	121
O/S	87	47	47
Flood Plain	142	13	
TOTAL	<u>750</u>	<u>1396</u>	<u>938</u>

The plan states that approximately 938 acres of the urbanizable area is currently "developed" (p. 68). An additional 100 are irrigated and in agricultural production. Most of the urbanizable area is Class II through IV under irrigation (pp. 13-14).

The area is needed to meet a projected population of 5600 in the year 2000. This is an increase of approximately 1600 over the estimated current population of 4000 within the entire UGB.

Justification for the urban growth boundary is provided in several parts of the plan. The Department's analysis is divided into three parts: Need (Factors 1 and 2), Location (Factors 3-7) and Other Factors.

Need Factors

As shown in the previous chart, the urbanizable area is designated for residential, industrial and commercial uses.

Residential Use

The City has completed a buildable lands inventory which indicates that 121 gross acres of residential land are suitable for development within the City and 223 acres are suitable in the urbanizable area (pp. 66 and 68). Thus, a total of 344 acres are suitable, though the City emphasizes that some of the suitable residential land within the City is not available for residential use.

The City has used three "tests" to show that this land is needed for residential development:

- 1) If the large industrial area is excluded, the current density in persons per gross acre within the City will be maintained (p. 69).
- 2) The gross residential density in persons per gross residential acre will remain the same (p. 70). (This calculation was based on existing gross residential acreage and then compared to net residential acreage added.)
- 3) A need for 533 units was projected and a density of three units per net acre assumed resulting in a "need" for approximately two-thirds of the suitable (p. 20) residential land. The City then argues that this is reasonable and suggests that a higher population projection may be appropriate (p. 71).

The Housing Division, 1000 Friends of Oregon and Oregon Business Planning Council have all objected to the City's demonstration of residential need as being inadequate. Because the City has failed to project housing need by type, the Department is unable to determine if too little or too much land has been included in the boundary.

Commercial/Industrial Need

The City and County have included approximately 430 acres of commercial and industrial land within the UGB (p. 68). Two hundred acres are already developed (p. 68).

The plan states "that there is very little commercial land yet undeveloped within the existing city limits" (p. 86). The chart on page 66 shows 59.00 acres being suitable for development, however, many of the lots are not available for commercial use (p. 67).

The industrial land is all within the Madras Industrial Park and full development of this site is the number one priority of the Jefferson County Overall Economic Development Plan (p. 41). The 300 plus acres currently includes more than 120 acres of industrial development.

1000 Friends has also objected to the lack of a justification for the industrial and commercial acreage included in the UGB.

Locational Factors:

The urbanizable area extends to the north, south and east of the City. The area to the west is considered inappropriate because of topography, proximity to railroad tracks and extent of agricultural use (p. 73).

The plan also states that the area contains an existing population of 2000. Seventy-five percent of these residences rely on dry well septic systems which the DEO says must be eliminated by 1980 (pp. 65, 74).

Most of the urbanizable area is Class I-VI agricultural land; however, only 100 acres are under irrigation and in production. This 100 acre parcel is located between the city limits and existing residential development in the urbanizable area (p. 75).

Other Factors

The plan in several places (pp. 62-65, 75), discusses the importance of the 1973 zoning of 7800 acres of land surrounding the City as Limited Agriculture (A-3) with a 10,000 square foot minimum lot size. Most County residents considered this entire area to be appropriate for urbanization and inclusion within the UGB (p. 63). Establishment of the current boundary was done over the strenuous objection of the Area Advisory Committee (p. 65).

Transition from Urbanizable Land to Urban Areas

The plan allows for development on individual sewer systems in the urbanizable area (p. 76). However, lower density development must meet standards set in the City Zoning and Subdivision Ordinance and must provide a redevelopment plan (Plan p. 92, Sub. Ord. p. II-11).

City policy requires annexation in order to receive sanitary sewers. Development at or near the minimum lot size will be required to locate in close proximity to the existing city limits (p. 92).

The City and County have jointly adopted the plan which also specifies procedures and findings for a boundary amendment.

Conclusion: The City of Madras does not comply with Goal 14.

As noted under Goal 10, the Department is unable to determine if residential needs have been adequately considered.

The Department does not support 1000 Friends objection that industrial and commercial lands have not been justified. However, the City should, where appropriate, consider designating and zoning portions of the commercial and industrial land for multifamily residential use (see Goal 10 discussion).

Important other factors have been discussed regarding the boundary:

- 1) Existing residential development of almost 700 acres of the urbanizable area. While the City has chosen a very liberal definition of developed (lots of less than 10 acres), the area does contain a population of 2000.
- 2) Much of the residential development in the area will be required to upgrade individual septic systems. Provision of public sewer may be the most economical approach.
- 3) The City has chosen a low population projection which envisions the area growing by only 24% in the next two decades (from 4260 to 5600).

However, these facts, without a clear showing of need, are not compelling.

In order to comply with this Goal, the City must:

1. Demonstrate a need for residential land based on types of housing units provided; and
2. Adopt an urban growth boundary consistent with that need.

The City may also use a demonstration of development and commitment in the urbanizable area and demonstrate need for public services in justifying the boundary.

C. Comments Received:

The following have provided comments on this request:

Agency	Statement	Local Participation**
OBPC	Objection*	No
1000 Friends	Objection*	No
Housing Division	Objection*	No
City of Madras	Res. to Objection*	
DED	Acknowledge*	
ODOT	Acknowledge*	
DEQ	Acknowledge	

*Statement attached

**Has the objecting party indicated what efforts were made to participate locally?

D. Overall Conclusions:

The City of Madras has prepared a useful plan based on adequate inventories and sound ordinances. However, the Department has determined that plan policies are, in certain cases, not adequate to comply with the requirements of the Goals.

V. RECOMMENDATIONS:

A. Staff:

Recommends that the commission offer to continue the City of Madras' acknowledgment request for 120 days to amend the plan and implementing measures to be in compliance with Statewide Planning Goals 5, 10, 11 and 14.

In order to comply, the City must:

Goal 5:

Adopt policies and/or ordinances that provide procedures to protect identified historic sites from conflicting uses.

Goal 10:

1. Consider existing housing mix in both the urban and urbanizable area;
2. Determine future housing need by type of unit; and
3. Demonstrate that sufficient land zoned to permit the use is provided to meet those needs. The City must: consider providing a sufficient amount of R-2 land to meet multifamily needs.

Goal 11:

- 1) Inventory water service in the urbanizable area and assure the orderly and efficient provision of that service in the area; and
- 2) Assess storm drainage problems and issues and address appropriately in policies and ordinances.

Goal 14:

1. Demonstrate a need for residential land based on types of housing units provided; and
2. Adopt an urban growth boundary consistent with that need.

The City may also use a demonstration of development and commitment in the urbanizable area and demonstrate need for public services in justifying the boundary.

B. Local Coordination Body:

None received.

VI. COMMISSION ACTION:

Approved a 120-day continuance to allow the City to address items in the staff recommendations (Section V.) on Goals 5, 10, 11 and 14. If update is used, a policy or policies will need to be addressed regarding the update item in the plan. However, it would appear that possible update items could be as easily addressed now. Staff is to work with Madras on what is required and the various ways to achieve it.

LC:cz

OREGON BUSINESS PLANNING COUNCIL

1178 CHEMEKETA, N.E.

SALEM, OREGON 97301

PHONE (503) 370-8112

STAFF:
KATHERINE KEENE
Planning Director

August 2, 1979

DEPARTMENT OF
LAND CONSERVATION
(AND DEVELOPMENT)

DAVID S. HILL
Natural Resources
Director

AUG 7 1979

SALEM

Mr. Wes Kvarsten, Director
Department of Land Conservation
and Development
1175 Court Street, N. E.
Salem, Oregon 97310

Attention: Lloyd Chapman

Dear Mr. Kvarsten:

The Oregon Business Planning Council has reviewed the Comprehensive Plan and Implementing ordinances submitted by the City of Madras in support of their request for Acknowledgement of Compliance. We have identified a number of concerns and present them in two groups.

A. Those concerns that we feel affect goal compliance are:

1. It is not clear why the population projection used a 1% growth ratio when the City's growth averaged 4% per year from 1970 - 1977. The Plan does not indicate why the 1% figure was chosen. The underlying assumptions leading up to the choice of the 1% figure are not spelled out.

A realistic population projection with appropriate justification is needed so that planning decisions regarding housing needs and sewer and water systems can be made.

2. Housing considerations are addressed in the Housing Section (pp. 42-45). Inventory material is presented, but the follow-through step of projecting housing needs by type or price range is not taken. There is no linkage between housing needs by type or price range and the projected population nor the UGB. These deficiencies raise questions of goal 10 and 14 compliance.

3. Generally the public facilities are adequately inventoried; however, there is no indication as to how much of the water system's capacity is currently used, or how many more people can be accommodated.

The documents submitted do not explain the relationship of the City water system to the Deschutes Valley Water District which serves the surrounding area. If there are problems with the sewer and water systems, they are not mentioned. The public facility policies are brief and do not address future system expansions nor do they address the "facilities plan" the City developed with E. P. A. assistance to provide collection facilities to the outlying areas.

The water and sewer systems should be readdressed if the population projection is changed substantially.

4. The Zoning and Subdivision Ordinances contain definitions that are not in keeping with ORS 92. The Plan cannot be adequately implemented when ordinances do not meet state law, therefore it seems Goal 2 is not met. In the zoning ordinance (p. 5) Subdivide Land, and in the subdivision ordinance (pp. I-5 - I-7) Major Partition, Minor Partition, Partition Land and Subdivide Land are not in keeping with ORS 92.

Because of the number and significance of the problems discussed above, the Oregon Business Planning Council objects to the request for acknowledgement of compliance by the City of Madras.

B. Those concerns that we feel are worthy of mention, but do not directly affect goal compliance are:

1. The Plan Goals and Policies express the desire for an efficient and economical transportation system, but city streets are not designated for level of useage, for example, arterials, collectors, residential. If streets are not designated, especially arterials and collectors, it may be impossible in the future to develop a safe, efficient and economical street system.

2. Although the document indicates in two places (pp. 60 and 83) that the City is opposed to relocation of the existing highway, no reasons are given for this policy choice. The inventory material does not adequately discuss the highway relocation. Given the potential impact of the planning decision on the entire community it seems reasons for the highway relocation decision are needed.

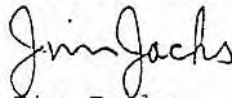
Wes Kvarsten
City of Madras

August 2, 1979
Page 3

3. In the Subdivision Ordinance, page III - 1, Section 302, Right-of-way and Street Improvements, there is only one minimum right-of-way requirement (60 feet) and one minimum street width requirement (44 feet). Additionally, there is only one base rock requirement. If the Plan Goal and Policy of an efficient and economical transportation system is to be achieved, minimum right-of-ways and street widths and base rock requirements should be matched to street types, i. e. arterials, collectors, cul-de-sacs. If street types and development standards are not matched, the streets may be underbuilt or overbuilt for their level of use.

Although points B1 - B3 are not of major importance to acknowledgement of compliance, we did note them during our review and felt it was appropriate to mention them in a constructive way for future planning consideration.

Sincerely,



Jim Jacks
Associate Planning Director

JJ:paw

cc: Dick Cowden
Brent Lake, DLCD Field Rep.
Dan Meader
Robert Martin, Jefferson County

The first part of the report deals with the general situation of the country and the progress of the work done during the year. It is followed by a detailed account of the various projects and the results achieved. The report concludes with a summary of the work done and a list of the names of the persons who have taken part in it.

The work done during the year has been very successful and has resulted in the completion of many of the projects which were planned at the beginning of the year. The results of the work have been very satisfactory and have shown that the work done during the year has been very valuable.

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1000 FRIENDS OF OREGON

400 DEKUM BUILDING, 519 S.W. THIRD AVENUE, PORTLAND, OREGON 97204 (503) 223-4396

August 14, 1979

DEPARTMENT OF
LAND CONSERVATION

Mr. W. J. Kvarsten, Director
Department of Land Conservation
and Development
1175 Court Street, NE
Salem, OR 97310

SALEM

Dear Mr. Kvarsten:

On behalf of 1000 Friends of Oregon, we have reviewed the City of Madras Comprehensive Plan and implementing ordinances. Based upon the following observations, we object to a granting of Acknowledgment of Compliance for the City of Madras.

I

PLAN FAILS TO ADEQUATELY DEMONSTRATE NEED FOR TOTAL UGB ACREAGE

The plan projects that the planning area must accommodate an additional 1,600 people by the year 2000. However, the plan calculates future residential acreage needs based upon an extremely low density of three dwelling units per net acre or lot sizes in excess of 11,000 sq. ft. (at 70). This is clearly inconsistent with implementing ordinances which allow single and multifamily residential densities of 4.4 and 14 units per net acre, respectively. An assessment of future acreage requirements based upon such a low density significantly inflates the UGB and violates Goal 14.

Residential acreage needs should instead be based upon minimum lot size requirements established in each residential zone. These requirements establish densities at which future development can occur. This projection must, in turn, take into account the allocation of vacant buildable lands in each zone and the corresponding established densities. In sum, the ability to accommodate future housing needs within existing city limits and, in turn, demonstrate UGB acreage requirements must be based upon:

- the allocation of vacant buildable acreage with city limits with respect to each plan designation
- the corresponding densities established through each implementing zone; and
- a housing mix allocating needed dwelling units at various density levels.

Such an analysis must be provided to insure conformance with Goals 10 and 14.

II

PLAN FAILS TO PROVIDE ADEQUATE INVENTORIES

The comprehensive plan also fails to adequately inventory open space and natural and scenic resources as required by Goal 5. The plan indicates that large areas of open space exist within the planning area, yet fails to identify these resource lands or provide policies which conserve such areas. Nor does the plan provide policies which insure the protection of four historic structures located within present city limits (at 17). Similarly, Willow Creek is a natural resource which is neither adequately inventoried nor protected through the provision of policies or other programs within the plan.

Goal 9 requires inventories of lands suitable to accommodate future economic growth. The City of Madras has failed to adequately inventory alternative future commercial or industrial sites. The absence of the inventories and any designation of lands for such uses not supported by such an inventory violates Goal 9.

III

PLAN FAILS TO DEMONSTRATE A NEED FOR TOTAL UGB ACREAGE

Goal 14 requires that the City of Madras base its UGB acreage upon a demonstrated need to accommodate future growth. The city limits of Madras presently contain 59.00 and 13.30 vacant buildable acres of commercial and industrial land, respectively. However, the plan also provides an additional 40.32 and 181.38 buildable acres within the UGB for future commercial and industrial without supplying supporting data and rationale demonstrating such a need. To so inflate the UGB over an actual need for urbanizable acreage violates Goal 14.

IV

PLAN AND IMPLEMENTING ORDINANCES VIOLATE GOAL 10

Goal 10 requires that the City of Madras provide adequate housing at a range of affordable price and rent levels. Guideline A of Goal 10 provides that the plan should include a range of information deemed essential to an accurate assessment of housing needs, as well as a variety of densities and housing types. Furthermore, the St. Helens policy, as adopted by the LCDC, requires that any housing need so identified be met through the provision of adequate permitted uses and buildable acreage.

The City of Madras has not provided an adequate assessment of housing needs. No determination has been made as to expected housing demand at various rent and cost levels. For instance, what percentage of fu-

ture housing needs will be met with mobile homes? How will the provision of mobile homes affect residential densities, and thus future acreage requirements? Lacking such information, the city cannot insure the provision of a sufficient variety of densities and dwelling unit types commensurate with future housing needs as required by Goal 10.

The plan should provide for a variety of minimum lot sizes to insure affordable housing and an efficient use of urbanizable land. Yet both the R-1 and R-2 residential zones provide a minimum lot size of 7,500 sq. ft. in new developments. The zoning ordinance should permit a smaller minimum lot size, and thus a more affordable lot, in the R-2 zone. The accompanying higher density would serve to decrease public facilities and service costs and meet increasing consumer demand for smaller lots.

Land use designations within the UGB fail to allocate any acreage to the R-2 classification. Yet multifamily dwellings and mobile home parks are permitted only in the R-2 zone. Since 1970, multifamily and mobile home building permits have accounted for 32% and 20%, respectively, of all building permits issued statewide (at 3, Housing Report - 2000 Commission, Department of Commerce). Moreover, 43% of all building permits issued in Jefferson County since 1970 involved multifamily dwellings (Building Permit Summary: Housing Division, Oregon Department of Commerce). These figures clearly demonstrate a need for R-2 zoned land within the UGB. Failure to identify and accommodate this need violates Goal 10. Moreover, the city has based its UGB upon an inaccurate assessment of housing needs and, in turn, inflated the acreage required within the UGB in violation of Goal 14.

The plan also violates the St. Helens policy and, in turn, Goal 10 by permitting needed housing types subject to a discretionary approval based upon standards which are not clear and objective. Multiple family dwellings are permitted only with the R-2 zone subject to site plan approval. However, approval of a site plan requires an affirmative finding that:

"All buildings and facilities, access points, parking and loading facilities, signs, lighting and walls or fences are so arranged that traffic congestion is avoided and pedestrian and vehicular safety and welfare are protected, and that adverse impacts on surrounding property will be minimized." (at 21)

These required findings are vague and subjective. The discretion inherent within these conditions could have the effect of discouraging needed multifamily housing. This is particularly crucial with respect to the City of Madras as the plan fails to allocate enough land which even permits multifamily housing. The dependence of multifamily dwelling approval upon such criteria thus violates the St. Helens policy and Goal 10.

Mobile home parks are permitted only as a conditional use within the R-2 zone. Mobile homes are not permitted outside of such a park

anywhere within the city. However, the approval standards relative to conditional uses are also inconsistent with the St. Helens policy. These standards include (at 28):

- B. Taking into account location, size, design and operation characteristics, the proposal will have a minimal adverse impact on the (a) livability, (b) value, and (c) appropriate development of abutting properties and the surrounding area compared to the impact of development that is permitted outright.
- C. The location and design of the site and structures for the proposal will be as attractive as the nature of the use and its setting warrants.
- D. The proposal will preserve assets of particular interest to the community.
- E. The applicant has a bona fide intent and capability to develop and use the land as proposed and has some appropriate purpose for submitting the proposal and is not motivated solely by such purposes as the alteration of property values for speculative purposes.

These standards are vague and could serve to delay or discourage the provision of mobile homes as a necessary housing alternative. The city has thus failed to address the need for mobile homes in violation of Goal 14 and permits this particular housing type based upon discretionary approval standards inconsistent with the St. Helens policy and Goal 10.

V

SUMMARY

We object to the granting of an Acknowledgment of Compliance as requested by the City of Madras until the deficiencies addressed above have been corrected.

We appreciate the opportunity to comment.

Very truly yours,



Steve Pfeiffer
Planning Intern

SP/eec

cc: Mayor Ray Murray, City of Madras
Jefferson County Board of Commissioners
Dan Meader, Planning Consultant



Department of Commerce
HOUSING DIVISION

LABOR & INDUSTRIES BLDG., SALEM, OREGON 97310 PHONE (503) 378-4343

DEPARTMENT OF
LAND CONSERVATION
AND DEVELOPMENT

AUG 30 1979

August 28, 1979

SALEM

W. J. Kvarsten, Director
LCDC
1175 Court Street NE
Salem, Oregon 97310

Attention: Lloyd Chapman, Lead Reviewer.

Re: Madras Request for Acknowledgement of Compliance

Dear Mr. Kvarsten:

The Housing Division has reviewed the comprehensive plan and implementing ordinances submitted by Madras, Oregon for acknowledgement of compliance. We have evaluated housing policies and other information contained in the plan to determine consistency with the provisions of Goal #10.

The plan is clearly written and organized and contains a good discussion of the process utilized to establish the UGB. However, the Division feels the plan does not comply with a number of major goal requirements, and we feel we must object to plan acknowledgement at this time.

Buildable Lands Inventory

The plan presents adequate documentation of the buildable lands suitable for residential use within the city limits and the urban growth boundary. A land use map maintained by the city was utilized as the basis for determining vacant residential land within the city limits.

Flood plain land and acreage designated for commercial and industrial use was netted out of vacant land totals. Consequently, 40 acres of the 140 unplatted acres and 50% (approximately 240 lots) of the 480 vacant building lots are stated to be suitable for residential development.

The buildable lands inventory presented on p. 66 of the plan indicates 120.58 gross acres of buildable residential land exists within the city limits. The plan nets out 24% of the gross acreage for public facilities, arriving at 51.84 net acres for R-1 use and 39.84 net acres for R-2 use. (Note: netting out 24% for public facilities may be unreasonably high, given that much of the land is already platted for development.)

The buildable lands inventory presented on p. 69 of the plan indicates 223.16 gross acres of buildable residential land exists between the city limits and the urban growth boundary. Netting out 24% for public facilities, 169.60 net acres are available for R-1 use only within the urban growth area. In

summary, the following net acreages are projected as buildable residential land available to the year 2000:

R-1	221.44 net acres (city limits and UGB)
R-2	39.84 net acres (city limits only)

682 gross acres within the urban growth area are presented as already developed (p. 69). Given the present lack of sewers in this area, the development is predominantly large lot residential. The city of Madras anticipates that they will ultimately service this area. Consequently, the buildable lands inventory should document the amount of developed acreage which can feasibly be developed to higher densities upon annexation and the provision of services.

Housing Mix and Needs Analysis

It is projected that the Madras planning area must accommodate an additional 1600 people by the year 2000. The additional population is divided by the assumed average household size to arrive at a projected housing need for 533 units. ($1600/3.0 = 533$)

Madras has not provided an adequate assessment of housing need. No determination has been made as to the expected housing demand by type and/or cost level. Housing policies presented on p. 81 of the plan state: a) the city shall provide buildable land for a variety of housing types, and b) shall encourage the development of suitable housing to satisfy all income levels. The Housing Division feels that preparation of a housing needs assessment will facilitate implementation of these policies.

Given the projection that 533 units will be necessary by the year 2000, the city should calculate single family, multifamily and mobile home unit needs based upon housing mix assumptions. The plan contains information on housing mix by type (p. 42) which could be combined with policy choices to arrive at housing mix assumptions.

Subsequent to determining the number of units needed by type, residential acreage needs should be projected based on minimum lot sizes established in each residential zone. Presently, the plan calculates future residential acreage needs based upon a low density of 3 units per net acre. This density assumption is inconsistent with residential densities established in the zoning ordinance. Implementing ordinances allow single family densities of 4.4 (7500 sq. ft. lots) and 6.6 (5000 sq. ft. lots) units per net acre; and multifamily densities of 14 units per net acre.

Implementing Ordinances

Two residential designations are established in the Land Use Plan Element, single (SFR) and multifamily residential (MFR). The SFR designation is utilized at the outer edges of the city limits and within the entire urban growth area. The MFR designation is intended to provide a buffer between commercial and single family areas (p.88).

The R-1 zone implementing the SFR designation permits single family dwellings, duplexes and modular home subdivisions as outright uses. Lots platted prior to enactment of the new zoning ordinance require 5000 sq. ft. for a single family dwelling and 7500 sq. ft. for a duplex. Lots platted or annexed after enactment of the zoning ordinance require 7500 sq. ft. for a single family dwelling and 8000 sq. ft. for a duplex.

The R-2 zone implementing the MFR designation permits single family dwellings and boarding houses outright. Multifamily dwellings are required to comply with site review procedures and conditions. The site review committee has the authority to approve, disapprove, or approve with conditions - thus, multifamily dwellings are a discretionary use in the R-2 zone.

Mobile home parks are a conditional use in the R-2 zone. In light of the St. Helens policy, care should be taken to remove vague approval standards from zoning ordinances. Two of the conditional use standards should be closely evaluated in the context of the St. Helens policy: 1) proposal will have minimal adverse impact on the livability, value, and appropriate development of abutting property, compared with development permitted outright; and 2) Planning Commission may impose additional conditions it considers necessary to protect the best interests of the surrounding area or the city as a whole.

Minimum lot sizes in the R-2 zone are as follows:

Parcels platted prior to new zoning ordinance -

Single family dwelling	5000 sq. ft.
Duplex	7500 sq. ft.
*Multifamily dwelling	8000 sq. ft/first 2 units, plus 2000 sq. ft/each additional unit

Parcels platted after enactment of new zoning ordinance -

Single family dwellings	7500 sq. ft.
Duplex	8000 sq. ft.
Multifamily dwelling	same as above *

The plan does not contain findings of fact justifying the increased lot sizes under the new zoning ordinance. Minimum lot sizes are the same for single and multifamily zones. Did the city consider retaining the 5000 sq. ft. minimum lot size for single family dwellings in the R-2 zone? Providing the opportunity for smaller lot sizes would facilitate a range of price and rent levels and also allow for flexibility of housing location, type and density requisite under Goal #10.

In summary, the Housing Division feels resolution of the following issues

W. J. Kvarsten
August 28, 1979
Page four

is necessary prior to plan acknowledgement:

Document housing mix assumptions necessary to project unit needs by type.

Project residential acreage needs based upon minimum lot sizes established in the zoning ordinance.

Allocate unit needs by type to buildable residential land.

Present findings of fact justifying increased minimum lot sizes in the R-1 and R-2 zones.

The Division feels that resolution of the issues raised in this letter will not place an undue burden on the city of Madras. The plan contains a significant amount of information that can be utilized to resolve potential problem areas prior to plan acknowledgement. Please do not hesitate to call if you have any questions or comments.

Sincerely,

Mary E. Dorman

Robert E. Clay

Mary E. Dorman
Planning Intern

Robert E. Clay
Senior Planner

MD/io

cc: Dick Cowden, Mayor
Brent Lake, Field Representative
Robert Martin, Jefferson County Coordinator

CITY OF MADRAS

416 6th STREET
MADRAS, OREGON 97741

COUNCIL
MEETS SECOND TUESDAY EACH MONTH

September 11, 1979

Mr. Lloyd Chapman,
Land Conservation and Development Commission
1175 Court Street NE
Salem, Oregon 97310

DEPARTMENT OF
LAND CONSERVATION AND DEVELOPMENT

SALES

Reference: City of Madras
Request for Acknowledgement

Dear Mr. Chapman,

The City has received several comments from public agencies concerning its acknowledgement request. There are three that the City would like to take the opportunity to respond. These are, The Department of Commerce, Housing Division, 1000 Friends of Oregon and the Oregon Business Planning Council. Taken in that order, the City would offer the following comments:

Housing Division

The requests made upon the City for additional information in the Plan are beyond the present goal requirements, and considering the last paragraph of the letter of August 23, 1979, such additional information will in fact place an undue burden on the City of Madras. The City of Madras has spent over two years developing this plan. To attempt to change it now could require an additional four public hearings plus a complete retyping of the Plan. The cost of which the City would be unable to bear at this time. Further, the agency was asked to comment on the Plan in March, 1979, prior to its adoption. Since our request was in writing and there was no response, we assumed the agency concurred with the Plan.

There are several points in the analysis with which we take exception. Buildable Lands Inventory - Page 1, third paragraph, the letter reads "(Note: netting out 24% for public facilities may be unreasonably high, given that much of the land is already platted for development.)". In reading the Plan it should have noted this is exactly what the figure is. What probably should have been presented is the fact that the developed residential land, a total of 243.66 acres, requires 87.03 acres of public land, therefore, it could potentially require a factor of 36%. We chose to use the gross residential acreage inside the City, 364.24 acres, as a more realistic figure.

In reviewing the letter it appears there are four points with which the Housing Division takes exception to the Plan. These are:

1. Document housing mix assumptions necessary to project unit needs by type. Comment: The housing goal is to provide for the housing needs of citizens of the state. The goal further reads "Buildable lands for residential use shall be inventoried and plans shall encourage the availability of adequate numbers of housing units at price ranges and rent levels which are commiserate with the financial capabilities of Oregon households and allow for the flexibility of housing location, type and density." The Madras Comprehensive Plan provides adequate amounts of land for a variety of housing types. Projecting price

Mr. Lloyd Chapman,
Land Conservation & Development Commission
September 11, 1979
Page 2

ranges and rent levels in a double digit inflation economy is meaningless. The Plan provides for outright use for single family at either 5,000 or 7,500 square foot minimum lot sizes, duplexes, single-wide mobile homes, double-wide mobile homes and multi-family dwellings.

The comment regarding the discretionary nature of the site plan approval is inappropriate. Multi-family dwellings are an outright use as allowed by the Zoning Ordinance. The site plan review process is merely to assure the standards set forth in the Zoning Ordinance are met.

2. Project residential acreage needs based upon minimum lot sizes established by the Zoning Ordinance. The comment in the letter indicates quite correctly that under the Zoning Ordinance 4.4 units could be developed per acre. However, the three units per acre estimate was utilized by comparing the number of existing residential units within the City (664) to the number of developed existing residential acres in the City (243.66) to yield an average density of 2.73 units per acre. Thus, the three units per acre is much more realistic in terms of actual development of the remainder of the City and the Urban Growth Boundary.

3. Allocate unit needs by type to buildable residential lands. Comment: This has been done in the Plan and in the Zoning Ordinance. The City has no wish, nor is it required by Goal 10 to provide strict market control of the private property located within the City and the Urban Growth Boundary.

4. Present findings of fact justifying increased minimum lot sizes in R-1 and R-2 Zones. Comment: The City of Madras adopted a Zoning Ordinance in 1947 which required the original 5,000 square foot lot size in the R-1 Zone, and the unit formula in the R-2 Zone. In 1964 the City of Madras updated their Zoning Ordinance and changed the lot sizes to 7,500 square feet per unit for R-1 and the present R-2 formula as presented in the Plan and the new Zoning Ordinance. In 1964 there were no findings of fact required - it was a political decision. The new plan and ordinance follows the 1964 ordinance and merely updates it to prevent the acceptability of illegally created lots between 1964 and 1979. 5,000 square foot lots created prior to the 1964 ordinance are still developable and have been calculated in the housing analysis.

1000 Friends of Oregon

The letter is divided into four basic parts:

1. Plan Fails to Adequately Demonstrate Need for Total UGB Acreage. Comment: The Plan clearly demonstrates the need for the total UGB acreage - three different tests were applied to that acreage including the L.C.D.C. recommended formula, and clearly show that the acreage is justified and warranted.

The comment regarding the densities of the Zoning Ordinance is quite correct. However, the existing density of the City (that is the existing developed residential lands vs. the total number of housing units currently with the City) is 2.73 per acre. Therefore the three units per acre is much more realistic.

2. Plan Fails to Provide Adequate Inventories. Comment: This seems to be directed toward Goal 5. As noted on page 16 of the Comprehensive Plan, there are large areas of open space intermixed between areas of development, however, these are under private ownership. Does 1000 Friends of Oregon expect the City of Madras to obtain fee simple title to these lands in order to protect them?

Secondly, the four historic structures as noted in the Plan are required to be noted by the State Parks Division. These also are under private ownership. Policies in the Plan on page 73 indicate the City will continue to support and cooperate with the Jefferson County Museum, the prime agency for historic preservation in Madras and Jefferson County.

The comments regarding Willow Creek are incorrect. As noted on page 16 of the Comprehensive Plan, Willow Creek is an intermittent stream which only runs from mid-December to mid-July and as noted on the Comprehensive Plan Map and in the Goals and Objectives of the Plan, the Willow Creek area has been designated as a Flood Plain area and is protected by the City's Flood Plain Ordinance.

3. Plan Fails to Demonstrate a Need for Total UGB Acreage. Comment: The City has evaluated the future commercial and industrial sites and has provided for them as indicated in the Plan. The Plan beginning on page 66 contains the rationale for these designations.

4. Plan and Implementing Ordinance Violate Goal 10. Comment: Goal 10 requires the City of Madras to provide adequate housing in a range of affordable prices and rent levels. Guideline A. of Goal 10 is strictly a guideline - not a goal. The City has provided a variety of lot sizes, urban densities and suburban densities equal to those which currently exist and are desired by the residents of the Madras area. Commenting on Guideline A. - In a double digit inflation economy, trying to determine various rent and cost levels of housing is like throwing darts at a dart board. The City feels it is much more appropriate to provide adequate amounts of land and let the market determine the prices.

Regarding the comment on mobile homes, we are enclosing a copy of the corrected page 12 of the Madras City Zoning Ordinance. During final typing, the term "mobile home parks" was erroneously left off the outright uses within a commercial zone. However, the Comprehensive Plan as shown on page 89, does provide for the outright use of mobile home parks in a commercial zone.

Concerning the lot sizes prescribed by the R-1 and R-2 zones, the City of Madras provides that the existing 5,000 square foot lots which were platted prior to adoption of the Madras Zoning ordinance of 1964 are still buildable lots, are available for development and have been computed into the projected residential needs of the City. As a side note, the City is currently reviewing a proposed 80 unit mobile home subdivision inside the city limits in which the average lot size is 12,000 square feet. This is far above the zoning requirements. The developer has been advised that he could reap many more lots from the proposed development if he met the minimum lot size. The developer feels the larger sizes are more readily marketable in the Madras area.

The comments regarding violation of the so-called "St. Helens policy" are also inappropriate. The statement taken from the Madras Zoning Ordinance on page 21 is a verbatim statement from another city which was recently acknowledged. That statement was written with the assistance of the staff of the Land Conservation and Development Commission.

Oregon Business Planning Council

- A. Concerns that the Oregon Business Planning Council feel affect goal compliance.
1. Population Projection. The discussion on page 47 of the Madras Comprehensive Plan indicates:
 - a. Public facilities presently exist and can serve a population over 5,000.
 - b. The population projections of Portland State University are unrealistic.

- c. Even at a 1% growth ratio, the expected population within the Planning area, including the 2,000 people within the Urban Growth Boundary, will yield a population of 5,600 by the year 2000.
 - d. The growth rate must be carefully monitored to maintain adequate public facilities.
2. **Housing Considerations.** The Plan provides for a variety of housing types but does not project price ranges. Projecting possible price ranges and rent levels in a double digit inflation economy is unrealistic and without merit. The City prefers to provide the land areas necessary for various types of housing and leave the market decisions to those who will have to provide financial capability.
 3. **Public Facilities.** Again, the discussion beginning on page 47 of the Comprehensive Plan should be reviewed. That discussion indicates that during the summer months the City, at times, has had to seek additional water. The discussion concerning the Deschutes Valley Water begins on page 14 and should make clear some of the problems the City of Madras has faced during this Comprehensive planning process. The Deschutes Valley Water District has enough water at its source to serve a population of 75,000 if it had the means to transport it. The decision of the City regarding Deschutes Valley Water is indicated in the Urban Growth Management Area Plan on page 93 under Item E.
 4. **Implementing Ordinances.** The Oregon Business Planning Council is correct in noting that the definitions for partitioning and subdividing lands differ from the state requirement in that the City's definitions are more restrictive. This is within the City's rights. The purpose of this is to provide control for continued development of an area and insure the provision of the necessary improvements.
- B. Concerns felt worth of mention, but not directly affecting goal compliance.
- 1 & 3 **City's Transportation System.** These two items are closely related and can be addressed with one answer. The City was originally platted with 60 and 70 foot public rights-of-way in the early 1900's. The paving widths were determined on the first paving project within the City some 30 years ago. The City has felt the wide streets have worked very well in its system and the Council is determined to continue maintaining the one standard requirement for all streets within the City of Madras.
 2. **Highway by-pass of the City.** No firm plans were ever presented to the City by the Oregon State Highway Department. However, the issue has been discussed in vague terms over the years. The City Council determined to go on record as being opposed to the project. The Comprehensive Plan is an official policy statement of the City. Thus, should such a project be contemplated, the entire community would be involved, through changing the Comprehensive Plan. This will bring the maximum amount of citizen involvement into such a program.

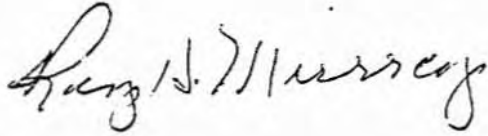
Finally, the City would like to submit an overall comment on all three letters. The Planning process is a long, political process - a very difficult one. The City cannot plan in a vacuum without any regard to its constituency, citizen involvement, political realities, or without regard for existing development. To develop a plan which provides perfect statistical information, balanced with exact land use allocations is unrealistic and unproductive. If this were the case, the plans could all be written in Salem by L.C.D.C. and merely given to the jurisdictions to administer.

Mr. Lloyd Chapman,
Land Conservation & Development Commission
September 11, 1979

Page 5

Sincerely,

CITY OF MADRAS



Ray H. Murray, Mayor

RHM:mas

Enclosure

cc: Mary E. Dorman, Planning Intern
Robert E. Clay, Senior Planner
Housing Division

Steve Pfeiffer, Planning Intern
1000 Friends of Oregon

Jim Jacks, Associate Planning Director
Oregon Business Planning Council

- F. All commercial uses including retail stores, service establishments, professional and other office, recreational enterprises, financial institutions, hotels, apartments, mobile home parks, and similar uses.
 - G. Telephone exchange or electrical substations.
 - H. Fire, police, or other governmental buildings.
 - I. Clubs and lodges.
 - J. Electrical equipment assembly sales or repair including the manufacture of small parts such as: coils, condensers, transformers, and crystal holders.
 - K. Electrical, plumbing, heating or paint sales, service and repair.
 - L. Frozen food lockers.
 - M. Garage - automobile, light truck and trailer, or marine sales, rental storage, service and repair.
 - N. Laundry or dry cleaning.
 - O. Machine shop repair.
 - P. Manufacture of artificial limbs, dentures, hearing aides, surgical instruments, and dressings or other devices employed by the medical or dental profession.
 - Q. Bakery goods and candy.
 - R. Restaurant.
 - S. Service Station.
 - T. Sign painting shop, sale or repair.
 - U. Upholstery shop.
- (2) AREA REQUIREMENTS. None.
- (3) SETBACK REQUIREMENTS. None, except those required by the Uniform Building Code for prevention of fire. Provided that:
- A. The rear yard shall be a minimum of 10 feet where abutting a residential zone, or
 - B. The structure shall not be less than 10 feet from the zone boundary line where abutting the residential zone.



Department of Economic Development

921 S.W. WASHINGTON STREET, PORTLAND, OREGON 97205 PHONE (503) 229-5535

DEPARTMENT OF
LAND CONSERVATION
AND DEVELOPMENT

August 15, 1979

AUG 20 1979

Mr. Wes Kvarsten, Director
Department of Land Conservation
and Development
1175 Court Street, N.E.
Salem, Oregon 97310

SALEM

Dear Wes:

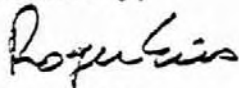
The Department of Economic Development has reviewed the Madras Comprehensive Plan, with particular emphasis on Goal 9 and other goals related to economic development. We have the following comments and recommendations related to plan acknowledgement.

- a. The economic goal statements appear to be clear, consistent, and realistic.
- b. The stated economic goals seem achievable and are supported by the comprehensive plan policies.
- c. The proposed implementation actions to increase water supply at the Madras Industrial Park and to initiate a campaign to attract new industry to the area appears consistent, realistic and achievable.
- d. The proposed actions to expand wholesale and retail trade activities; to expand the tourism and recreation sector; and to expand the airport facilities and service will help contribute to continued economic growth.
- e. Sufficient land allocations for future industrial and commercial growth has been provided.

The socio-economic data contained in the Resource Inventory is outdated. Most of the data is from the 1969-70 time period and is not relevant except for trend purposes. More recent data is readily available and should be utilized in the analysis of the various economic sectors. Hopefully our Department's publication "Jefferson County Economic Information," which was recently mailed to the City of Madras, will be helpful in this regard.

Acknowledgement is recommended with a provision that the socio-economic and labor force data contained in the Resource Inventory and Economic Analysis sections be revised to include the most current information available.

Sincerely,

A handwritten signature in cursive script, appearing to read "Roger Eiss".

Roger Eiss,
Deputy Director

RE:nb



Department of Transportation

HIGHWAY DIVISION

TRANSPORTATION BUILDING, SALEM, OREGON 97310

SALEM

August 24, 1979

In Reply Refer to
File No.:

Mayor Ray Murray
City of Madras
City Hall
Madras, OR 97741

Dear Mayor Murray:

We would like to commend your community for a well-written comprehensive plan. Our staff has reviewed your plan and ordinances in light of our Department's programs and we are pleased to support their acknowledgement.

We do however, have a few comments for your consideration when the plan is updated. Our first comment refers to the following statement on page 39 of the plan "The average daily traffic (ADT) on Highway 97 is above the safe capacity of the highway, as determined by the Oregon Highway Division." This statement is incorrect. The highway is not near capacity nor is it unsafe. We ask that this sentence be deleted from the plan when it is next updated.

Our second comment regards the Madras City-County Airport. Page 56 of the plan describes the airport and its operations. When the plan is updated we ask that there be recognition of the need for compatible land uses around this city-owned facility. It would also seem beneficial to include a recommendation for coordination between the City and Jefferson County to ensure such compatibility of land uses in this area.

The Department would like to be involved in future updates of the plan and ordinances. It will be helpful if you direct information on future plan updates to John Holcomb, our Transportation Planning Representative and Donna Weid, Parks Planning Representative. We would also appreciate your sending John notice of applications for zone changes and subdivisions along state highways. Addresses and phone numbers for John and Donna are enclosed.

A copy of this letter is being forwarded to the Department of Land Conservation and Development in support of your acknowledgement request.

Sincerely,
ORIGINAL SIGNED BY
R.E. ROYER

Robert E. Royer, Assistant Director
Policy and Program Development

Enclosure

cc: Brent Lake
Wes Kvarsten/Lloyd Chapman
Brian Christian
John Holcomb
Donna Weid

The first part of the report deals with the general situation of the country and the progress of the work during the year. It is followed by a detailed account of the various projects and the results achieved. The report concludes with a summary of the work done and a list of the names of the persons who have taken part in it.

The second part of the report deals with the financial situation of the country and the progress of the work during the year. It is followed by a detailed account of the various projects and the results achieved. The report concludes with a summary of the work done and a list of the names of the persons who have taken part in it.

The third part of the report deals with the financial situation of the country and the progress of the work during the year. It is followed by a detailed account of the various projects and the results achieved. The report concludes with a summary of the work done and a list of the names of the persons who have taken part in it.

The fourth part of the report deals with the financial situation of the country and the progress of the work during the year. It is followed by a detailed account of the various projects and the results achieved. The report concludes with a summary of the work done and a list of the names of the persons who have taken part in it.

The fifth part of the report deals with the financial situation of the country and the progress of the work during the year. It is followed by a detailed account of the various projects and the results achieved. The report concludes with a summary of the work done and a list of the names of the persons who have taken part in it.

The sixth part of the report deals with the financial situation of the country and the progress of the work during the year. It is followed by a detailed account of the various projects and the results achieved. The report concludes with a summary of the work done and a list of the names of the persons who have taken part in it.

Library 01

DOCUMENTS
LOCAL
Madras
(1979b)



VICTOR ATIYEH
GOVERNOR

Department of Land Conservation and Development

1175 COURT STREET N.E., SALEM, OREGON 97310 PHONE (503) 378-4926

M E M O R A N D U M

December 21, 1979

TO: State and Federal Agencies, Special Districts,
Other Local Reviewers and Citizens

FROM: W. J. Kvarsten, Director

SUBJECT: REQUEST FOR ACKNOWLEDGMENT OF COMPLIANCE

Comments Due: January 14, 1980
 Tentative Date for
 Commission Action: January 30, 31 and February 1, 1980
 at a location to be announced

<u>Jurisdiction</u>	<u>Field Representative</u>	<u>Lead Reviewer</u>
Baker (City)	Jim Kennedy	Ron Eber
Echo	Jim Kennedy	Claire Puchy
Madras	Brent Lake	Lloyd Chapman

The Oregon Land Conservation and Development Commission has received submittals from Continuance Orders from the above cities asking that their comprehensive plans and implementing measures be acknowledged to be in compliance with the Statewide Planning Goals.

Copies of the recommendations adopted previously by the Commission concerning the Goal deficiencies of each jurisdiction's plan and ordinances are attached. Staff review will focus on whether the supplemental material addresses all of the issues identified in the adopted recommendations.

This notice is being sent to all of those who commented unfavorably on these jurisdictions' previous submittals. Pursuant to the Department's amended acknowledgment of compliance rule, this notice is to afford your agency another review opportunity prior to the Commission's action to make sure the comprehensive plan and ordinances have been properly coordinated with your plans and projects for this area.

12/21/79

If you respond to this notice, please distinguish clearly between information or a comment presented for the Commission's consideration as opposed to an objection to the Commission's acknowledgment of the comprehensive plan or ordinances. If the Commission does not receive an objection from a notified agency, it will conclude that the agency will follow the comprehensive plan and ordinances. Comments and objections should be sent to the Department's central office in Salem.

Complete copies of the comprehensive plans and ordinances are available for review in the following locations:

LCDC Central Office
1175 Court Street, N.E.
Salem, OR 97310
Phone: 378-4926
(All 3 city plans)

LCDC Portland Office
320 SW Stark, Rm. 530
Portland, OR 97204
Phone: 229-6068
(All 3 city plans)

LCDC Bend Office
1012 NW Wall
Suite 203
Bend, OR 97701
Contact: Brent Lake
Phone: 389-2253
(Madras only)

LCDC La Grande Office
Rm. 135 Classroom Bldg.
Eastern Oregon State College
La Grande, OR 97850
Contact: Jim Kennedy
Phone: 963-2918
(Baker and Echo)

Jefferson County Planning Dept.
Courthouse
Madras, OR 97741
(Madras only)

Baker County Planning Dept.
Courthouse
Baker, OR 97814
(Baker only)

Planning Office
Madras City Hall
Madras, OR 97741

Planning Office
Baker City Hall
Baker, OR 97814

E. Central Oregon Assoc. of Counties
920 SW Frazer
P.O. Box 1207
Pendleton, OR 97801
(Echo only)

Echo City Hall
Echo, OR 97826

Enclosures

WJK:JBK:mh

Conclusion: The City of Baker complies with Goal 14.

C. Comments Received:

The following have submitted statements on the acknowledgment request:

<u>Agency</u>	<u>Position</u>
U.S. Forest Service	Comments*
BLM	No Comment
Oregon Business Planning Council	Comments*
ODOT	Acknowledge/Comments*
DEQ	Acknowledge/Comments*
PUC	Comments*
City of Baker	Comments*

*Statements attached.

D. Overall Conclusions:

Based upon the above-stated findings and conclusions, the City of Baker's comprehensive plan and implementing measures comply with all applicable Statewide Planning Goals.

V. RECOMMENDATION:

A. Staff:

Recommends that the Commission grant the City of Baker's acknowledgment request for its comprehensive plan and implementing measures.

B. Local Coordination Body

None received.

VI. COMMISSION ACTION:

Approve an offer of a continuance for 90 days to allow the City time to resolve plan map-zoning map conflicts. Due to a Department error, existence of those conflicts was overlooked. There inconsistencies represent a Goal 2 deficiency and must be corrected before acknowledgment can be granted.

RE:krh
251A
16A
8/23/79

V. RECOMMENDATIONS:

A. Staff:

Recommends that the commission offer to continue the City of Madras' acknowledgment request for 120 days to amend the plan and implementing measures to be in compliance with Statewide Planning Goals 5, 10, 11 and 14.

In order to comply, the City must:

Goal 5:

Adopt policies and/or ordinances that provide procedures to protect identified historic sites from conflicting uses.

Goal 10:

1. Consider existing housing mix in both the urban and urbanizable area;
2. Determine future housing need by type of unit; and
3. Demonstrate that sufficient land zoned to permit the use is provided to meet those needs. The City must: consider providing a sufficient amount of R-2 land to meet multifamily needs.

Goal 11:

- 1) Inventory water service in the urbanizable area and assure the orderly and efficient provision of that service in the area; and
- 2) Assess storm drainage problems and issues and address appropriately in policies and ordinances.

Goal 14:

1. Demonstrate a need for residential land based on types of housing units provided; and
2. Adopt an urban growth boundary consistent with that need.

The City may also use a demonstration of development and commitment in the urbanizable area and demonstrate need for public services in justifying the boundary.

B. Local Coordination Body:

None received.

In order to comply, Umatilla County must:

1. Coordinate population projections of West End jurisdictions. Specifically, it must be demonstrated that each city's projection and the rural area's projection generally total up the overall population projection for the West End. The margin of difference must be reasonable.
2. Based on a general agreement on anticipated overall West End and individual jurisdiction population growth, the City of Echo and Umatilla County must amend as necessary the comprehensive plan, UGB and implementing measures of Echo.

Note: This activity may affect compliance with Goals 10 and 11. If, after, a population projection for Echo has been determined, the projection is significantly different from that currently in the plan, the City must reevaluate its housing and public facilities needs projections and make necessary changes in its plan, UGB and implementing measures.

B. Local Coordination Body:

Recommends the Commission acknowledge the City of Echo's comprehensive plan and implementing measures to be in compliance with the Statewide Planning Goals.

VI. COMMISSION ACTION

Approved offer of 120-day continuance to allow City time to work on Goal 14 compliance.

JBK:cz

The first part of the report deals with the general situation of the country and the progress of the work during the year. It is followed by a detailed account of the various projects and the results achieved. The report concludes with a summary of the work done and a list of the names of the persons who have taken part in it.

The second part of the report deals with the financial situation of the country and the progress of the work during the year. It is followed by a detailed account of the various projects and the results achieved. The report concludes with a summary of the work done and a list of the names of the persons who have taken part in it.

The third part of the report deals with the financial situation of the country and the progress of the work during the year. It is followed by a detailed account of the various projects and the results achieved. The report concludes with a summary of the work done and a list of the names of the persons who have taken part in it.

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The sixth part of the report deals with the financial situation of the country and the progress of the work during the year. It is followed by a detailed account of the various projects and the results achieved. The report concludes with a summary of the work done and a list of the names of the persons who have taken part in it.



LR
Department of Environmental Quality


SEP 10 1979

522 SOUTHWEST 5TH AVE. PORTLAND, OREGON

MAILING ADDRESS: P.O. BOX 1760, PORTLAND, OREGON 97207

• MEMORANDUM

TO: Lloyd Chapman, DLCD Lead Reviewer DATE: September 6, 1979

FROM: Bob Jackman 

SUBJECT: Department of Environmental Quality Review and Comment on
Compliance Acknowledgment Request - Madras

Comments

Robert Danko, DEQ Central Region, Bend, comments that the plan should mention DEQ's requirements for acting on site specific proposals inside the urban growth boundary. DEQ cannot unconditionally issue such actions as permits without a city statement that the proposal is compatible with local planning and ordinance requirements. We need county concurrence for sites outside the city limits.

Danko's specific comments are itemized as follows:

<u>Topic</u>	<u>Page</u>	<u>Comment</u>
Air Quality	18	Too brief a statement on existing air quality.
	79	Adequate policy statement supporting state and federal air quality standards.
Noise	--	Could not find any mention of noise in the plan.
Solid Waste	50	Only one sentence discusses the existing situation.
	61	City supports a waste recycling center.

Lloyd Chapman
September 6, 1979
Page 2

SEP 19 1979

Water Quality	18, 19	Good write-up of existing situation with regard to sewers and use of drill holes.
	49	Discusses existing sewerage facility, which is adequate.
	78	A policy statement to maintain state and federal water quality standards.
	92 (Plan) I-7, II-4, II-11 (Subdivision Ordinance)	Plan and ordinance requires developers of large lot subdivisions inside urban growth boundary to submit redevelopment plans with initial plats. This is the city and county effort to deal with the 10,000 square feet per lot zoning in existence outside the city since 1973. In print, language adequately controls large lot subdivisions for future sewerage. In practice, county planning and building officials must watch closely to be successful.
	--	No mention of groundwater protection or stormwater runoff control.

Mike Ziolkowski, DEQ Air Quality Division and Jerry Jensen, Noise Control Section, Portland, urge development of needed discussions in the plan and ordinances on these two topics. As previously requested, DEQ's Handbook for coordinating land use with environmental quality should be utilized by Madras to determine what constitutes adequate discussions for the documents.

Bob Brown, DEQ Solid Waste Division, urges expansion of the "one liner" in the plan to include such needed references as an estimate of the existing disposal site's life.

Neil Mullane, DEQ Water Quality Division comments. Three wells comprise the source of Madras' water supply, supplemented in the summer by North Unit Irrigation water. Obviously the ground water resource is important to Madras. The city might consider a specific policy statement under Goal 6, page 78. This would express their desire to protect and maintain groundwater quality.

SEP 10 1979

If the matters noted above are dealt with during Comprehensive Plan maintenance and update, it appears to DEQ that no substantive conflicts will exist between the Madras Comprehensive Plan and DEQ plans and programs.

No Objection

The Department does not object to LCDC Acknowledgment of the Madras Comprehensive Plan. However, we request that LCDC authorize and encourage Madras to develop and include in their Plan the needed improvements identified above as soon as possible.

RDJ:a
MQ6046.A2

cc: Madras
Brent Lake, DLCD Field Representative
Robert Martin, Local Coordinator
Dick Nichols, Central Region, DEQ
Jim Claypool, DLCD
William H. Young, Director, DEQ
Mike Downs, Management Services, DEQ
Jack Weathersbee, Air Quality Division, DEQ
Mike Ziolkko, Air Quality Division, DEQ
Hal Sawyer, Water Quality Division, DEQ
Ernie Schmidt/Bob Brown, Solid Waste Division, DEQ
John Hector/Jerry Jensen, Noise Control Section, DEQ
Fred Bolton, Regional Operations Division, DEQ
Chris Zigler, DLCD

The first part of the report deals with the general situation of the country and the progress of the work during the year. It is followed by a detailed account of the various projects and the results achieved. The report concludes with a summary of the work done and the plans for the future.

The work has been carried out in accordance with the programme of work approved by the Council of the League of Nations. It has been carried out in a spirit of cooperation and in full accordance with the principles of the League of Nations.

The results of the work have been most satisfactory and it is hoped that they will be of great value to the League of Nations and to the world in general.

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The results of the work have been most satisfactory and it is hoped that they will be of great value to the League of Nations and to the world in general.

LAND CONSERVATION AND DEVELOPMENT COMMISSION
ACKNOWLEDGMENT OF COMPLIANCE

RESPONSE TO CONTINUANCE ORDER OF OCTOBER 18, 1979

City of Madras

DATE RECEIVED: December 3, 1979 DATE OF COMMISSION ACTION: January 30, 1980

I. REQUEST: Acknowledgment of Compliance with the Statewide Planning Goals
for the Comprehensive Plan and Implementing Measures.

II. SUMMARY OF RECOMMENDATIONS:

A. Staff:

Recommends acknowledgment.

B. Local Coordination Body:

Recommends acknowledgment.

FIELD REPRESENTATIVE: Brent Lake
Phone: 389-2253

COORDINATOR: Robert Martin
Phone: 475-3147

LEAD REVIEWER: Lloyd Chapman
Phone: 378-4932

Date of Report: January 17, 1980

III. BACKGROUND:

On October 11, 1979, the Commission considered the City of Madras' request for acknowledgment of compliance with the Statewide Planning Goals. At the meeting, the Commission granted the City of Madras a 120 day continuance to complete work needed to comply with the following Goals: Goal 5 (Open Space, Scenic and Historic Areas, and Natural Resources), Goal 10 (Housing), Goal 11 (Public Facilities and Services) and Goal 14 (Urbanization).

On December 3, 1979, Madras submitted additional material and requested that they be acknowledged. Notice of the request was sent out on December 21, 1979 to the press, previous commenters and affected state agencies.

IV. ADDITIONAL MATERIALS

The following additional materials were submitted to comply with the Commission's order of October, 1979 and the Statewide Planning Goals:

Madras Ordinance No. 382 adopting plan Addendum No. 1; and

Jefferson County letter received in Bend on November 30, 1979 regarding Addendum No. 1.

V. FINDINGS

A. Previously Approved Goals

The Commission's Order found that the City of Madras' acknowledgment request complied with Statewide Planning Goals 1, 2, 4, 6-9, 12 and 13. The adopted amendments do not conflict with the previous Commission action and the Plan remains in compliance with these Goals.

B. Required Plan and Implementing Measure Revisions

1. Open Spaces, Scenic and Historic Areas, and Natural Resources:
(Goal 5)

Requirement: Adopt policies and/or ordinances that provide procedures to protect identified historic sites from conflicting uses.

City Response: The City has adopted the following policy:

"Policy D. The City shall appoint the Jefferson County Museum Association as an advisory body to review historic sites, including any that should be identified at a later date.

- a. If a potential historic structure is proposed to be demolished, the City may, on recommendation from the Museum Association, hold in abeyance the demolition permit for up to 90 days to allow the Museum Association to seek funds to preserve the potential historic structure or recommend other ways of preserving the structure."

Conclusion: The City of Madras complies with Goal 5.

The City has established a review body and a process to resolve future conflicts relative to historic sites.

2. Housing: (Goal 10)

Requirement: Consider existing housing mix in both the urban and urbanizable area;

Determine future housing need by type of unit; and :

Demonstrate that sufficient land zoned to permit the use is provided to meet those needs. The City must consider providing a sufficient amount of R-2 land to meet multifamily needs.

City Response: Madras has completed an analysis of housing within the entire planning area and assumed that the current housing mix will continue. Based upon this assumption, the following housing needs are identified:

Single Family	690 Units
Multiple Family	167 Units
Mobile Homes	256 Units

The City has shown that 52 acres of buildable R-2 land within the existing city limits is adequate to meet multifamily needs.

Need for mobile home units can be met through mobile home subdivisions permitted outright in the R-1 residential zone.

Conclusion: The City of Madras complies with Goal 10.

3. Public Facilities and Services: (Goal 11)

Requirement: Inventory water service in the urbanizable area and assure the orderly and efficient provision of that service in the area.

City Response: The plan (Addendum p. 1) has been amended to discuss water available from the Deschutes Valley Water District. A policy requiring the City to work with the water district to adopt an agreement regarding water service in the urbanizable area has been adopted.

Requirement: Assess storm drainage problems and issues and address appropriately in policies and ordinances.

City Response: The Addendum (p.2) includes a discussion of storm drainage service in the City. The requirement in the subdivision ordinance for disbursement of storm water runoff are noted.

Conclusion: The City of Madras complies with Goal 11.

4. Urbanization: (Goal 14)

Requirements: Demonstrate a need for residential land based on types of housing units provided; and

Adopt an urban growth boundary consistent with that need.

The City may also use a demonstration of development and commitment in the urbanizable area and demonstrate need for public services in justifying the boundary.

City Response: The City and Jefferson County have chosen to retain the existing urban growth boundary and provide additional justification for that boundary.

A new population projection (addendum pp. 4-5) has been developed which raises the year 2000 population from 5600 to 7340. This new projection is based on increased utilization of the Madras Industrial Park because of likely availability of water. Existing population is approximately 4000. Other factors likely to generate increased population, including development on the Warm Springs Reservation, are also cited.

Based on this new projection a need for 1113 new units by type is identified. (See Goal 10 discussion)

The addendum states (pp. 5-6) that the 52 acres of buildable R-2 land within the City is adequate to meet multifamily needs. Single family needs (stick built and mobile homes) are met in the R-1 zone within the City and urbanizable area.

A need for 319 net acres of R-1 land is shown (Addendum Ex. 1) and met through the provision of 325 acres. The following key assumptions (addendum p. 3) were used in this justification:

- a. The present percentage (24%) of public facilities will continue;
- b. The present percentage (24%) of streets and right of way will continue;
- c. The present single family density in the R-1 zone will continue;
- d. There will be little, if any, infilling of developed areas; and
- e. Three (3) persons per household.

The following calculations were used by the City in determining available R-1 acreage:

Gross R-1 land outside City	905
Less 24% Public Facilities	(217)
Less 24% Streets and Roads	(165)
Net Residential Acreage	523
Less Developed Acres	249
Net Buildable Residential Acres	274
Plus Net Buildable R-1 Acres Within The City	51
Total Buildable Residential (R-1) Land	325 Acres

Conclusion: The City of Madras complies with Goal 14.

Additional material adopted by the City of Madras provides information to justify the current boundary. The revised population projection is reasonable and supported by Jefferson County.

The justification of lands needed for single family dwellings is adequate. Use of a 24% public facilities factor in addition to 24% for streets and roads (a total of 48%) is very high. Two specific concerns with the City's analysis are:

1. It is based on current public facilities, largely schools within the city limits. A need for additional land for similar purposes is not shown in the plan and
2. The calculations ignore 46 acres of land (fairgrounds in the urbanizable area designated Open Space.

A much more appropriate way to deal with major public facilities is to designate lands needed for public uses (schools, parks, etc.) and not count that land as gross residential land. However, use of the factor does not substantially affect the size of the UGB, and does not result in failure to comply with this Goal.

VI. RECOMMENDATIONS:

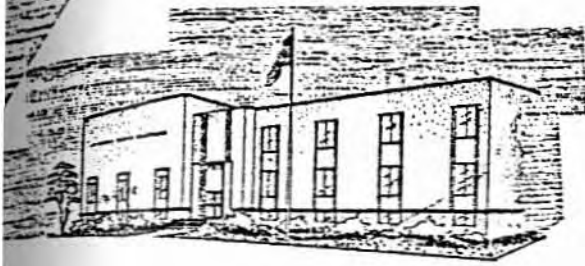
A. Staff:

Recommends that the City of Madras comprehensive plan and implementing measures be acknowledged in compliance with ORS 197 and the Statewide Planning Goals.

B. Local Coordination Body:

Recommends acknowledgment.

LC:jk
1074A



Jefferson County

DEPARTMENT OF
LAND CONSERVATION
AND DEVELOPMENT

Madras, Oregon 97741

NOV 26 1979
DEPT 2671
LAND CONSERVATION
AND DEVELOPMENT

NOV 30 1979

DEC - 3 1979

BEND

SALEM

City of Madras
% Mr. Bud Miller, City Manager
Madras City Hall
Madras, OR 97741

Dear Mr. Miller:

Jefferson County has received the addendum to the City of Madras Comprehensive Plan which was adopted November 13, 1979 by Ordinance 382.

We concur with the addendum, and we hope that it will result in acknowledgement of compliance for the City of Madras.

Very truly yours,

Herschel Read
County Judge

HR:dc

The first part of the report deals with the general situation of the country and the progress of the work during the year. It is followed by a detailed account of the various projects and the results achieved. The report concludes with a summary of the work done and the plans for the future.

The work has been carried out in accordance with the programme of work approved by the Council of the League of Nations. It has been a year of hard work and the results are most encouraging. The progress made in the various fields of research and in the work of the various departments is a credit to the staff and to the Council of the League of Nations.

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Planning Department
of
Jefferson County

Madras, Oregon 97741

June 28, 1979

DEPARTMENT OF
LAND CONSERVATION
AND DEVELOPMENT

JUN 29 1979

SALEM

Mr. Jim Knight
Plan Review Team Supervisor
Dept. of Land Conservation and Development
1175 Court Street N.E.
Salem, Oregon 97310

Dear Jim;

The City of Madras and Jefferson County are happy to present to the L.C.D.C. the following documents for your review.

- 6 copies Madras Comprehensive Plan
- 6 copies City Adoption Ordinances
- 6 copies County Adoption Ordinance
- 6 copies Madras Zoning Ordinance
- 6 copies Madras Subdivision Ordinance

We hope the process we have gone through will prove valuable to us and to you.

Sincerley,

Robert C. Martin
Local Coordinator

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Department of Land Conservation and Development

1175 COURT STREET N.E., SALEM, OREGON 97310 PHONE (503) 378-4926

M E M O R A N D U M

July 17, 1979

TO: State and Federal Agencies, Special Districts,
Other Local Reviewers and Citizens

FROM: W. J. Kvarsten, Director

SUBJECT: REQUEST FOR ACKNOWLEDGMENT OF COMPLIANCE

City of Newberg	City of Astoria
City of Lexington	City of Cannon Beach
City of Ione	City of Stanfield
City of Dunes City	City of Madras

Comments Due: September 5, 1979

Tentative Date for
Commission Action: October 11-12, 1979 in a location to be
announced

	<u>Field Representative</u>	<u>Lead Reviewer</u>
Newberg	Craig Greenleaf	Greg Winterowd
Lexington	Jim Kennedy	Greg Winterowd
Ione	Jim Kennedy	Greg Winterowd
Dunes City	Glen Hale	Don Oswalt
Astoria	Gary Gustafson	Don Oswalt
Cannon Beach	Gary Gustafson	Don Oswalt
Stanfield	Jim Kennedy	Claire Puchy
Madras	Brent Lake	Lloyd Chapman

The Oregon Land Conservation and Development Commission has received requests from the above jurisdictions asking that their comprehensive plans and ordinances be acknowledged to be in compliance with the Statewide Planning Goals.

This notice is to afford your agency a review opportunity before the Commission's action to make sure the comprehensive plans and ordinances have been properly coordinated with your plans and projects for those areas.

The first part of the report deals with the general situation of the country and the progress of the work during the year. It is followed by a detailed account of the various projects and the results achieved. The report concludes with a summary of the work done and the plans for the future.

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Dunes City, Astoria, Cannon Beach

LCDC Newport Office
313 SW 2nd, Suite B
Newport, OR 97365
Contact: Glen Hale (Dunes City)
Gary Gustafson (Astoria)
(Cannon Beach)

Phone: 265-8869

City of Dunes City
P.O. Box 97
West Lake, OR 97493

City of Astoria
City Hall
Astoria, OR 97103
Contact: Jean Hallaux
Phone: 325-5821, x-29

CTIC
Cannon Beach City Offices
Cannon Beach, OR 97110
Contact: Mike Morgan
Phone: 436-1156
(Astoria, Cannon Beach)

Madras

LCDC Bend Office
1012 NW Wall, Suite 203
Bend, OR 97701
Contact: Brent Lake
Phone: 389-2253

Jefferson County Planning Dept.
Courthouse
Madras, OR 97741
Contact: Robert Martin
Phone: 475-3147

Lane Council of Governments (L-COG)
Lane County Planning Dept.
125 8th Avenue E.
Eugene, OR 97401
Contact: Gary Darnielle
Phone: 687-4283
(Dunes City Only)

City of Cannon Beach
City Hall
Cannon Beach, OR 97110

Clatsop County Planning Dept.
Courthouse
Astoria, OR 97103
(Astoria, Cannon Beach)

City of Madras
City Hall
Madras, OR 97741

NOTE: Please note that copies of this notice have also been sent to local offices of state and federal agencies identified by the jurisdictions.

WJK:JBK:tw

If you respond to this notice, please distinguish clearly between information or a comment presented for the Commission's consideration as opposed to an objection to the Commission's acknowledgment of the comprehensive plans or ordinances. If the Commission does not receive an objection from a notified agency, it will conclude that the agency will follow the comprehensive plans and ordinances. Comments and objections should be sent to the Department's central office in Salem.

Complete copies of the comprehensive plans and ordinances are available for review in the following locations:

Copies of all plans

LCDC Central Office
1175 Court Street NE
Salem, OR 97310
Contact: Lead Reviewer
Craig Greenleaf
(Field Rep. for Newberg)
Phone: 378-4926

LCDC Portland Office
320 SW Stark, Rm. 530
Portland, OR 97204
Contact: Linda Macpherson
Phone: 229-6068

Newberg

City of Newberg
City Hall
Newberg, OR 97132

(LCDC Field Office in Salem
Central Office)

Yamhill County Planning Dept.
Courthouse
McMinnville, OR 97128
Contact: Roberta Young
Phone: 472-9371, x-201

Lexington, Ione, Stanfield

LCDC La Grande Office
Rm. 135 Classroom Bldg.
Eastern Oregon State College
La Grande, OR 97850
Contact: Jim Kennedy
Phone: 963-2918

City of Lexington
City Hall
Lexington, OR 97839

City of Ione
City Hall
Ione, OR 97843

Morrow County Planning Dept.
Courthouse
Heppner, OR 97836
(Lexington, Ione only)

Umatilla County Planning Dept.
Courthouse
Pendleton, OR 97801
(Stanfield only)

ECOAC
P.O. Box 1207
Pendleton, OR 97801
Contact: Jeri Cohen
Phone: 276-6732
(Lexington, Ione, Stanfield)

CITY OF MADRAS

COUNCIL
MEETS SECOND TUESDAY EACH MONTH

416 6th STREET
MADRAS, OREGON 97741

DEPARTMENT OF
LAND CONSERVATION
AND DEVELOPMENT
DEPARTMENT OF
LAND CONSERVATION
AND DEVELOPMENT

DEC - 3 1979

SALEM

NOV 30 1979

BEND

November 19, 1979

Mr. Brent Lake, Field Representative
Land Conservation and Development Commission
1012 N.W. Wall Street
Bend, Oregon 97701

Reference: Madras Acknowledgement of Compliance Request

Dear Mr. Lake:

At the regular City Council meeting on November 13, 1979, the City Council voted unanimously to accept the offer of 120 days continuance of the Land Conservation and Development Commission. The purpose of the continuance is to amend the adopted Comprehensive Plan to meet L.C.D.C. requirements.

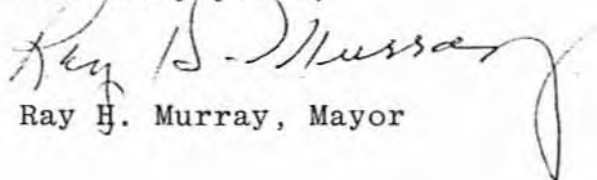
Attached to this letter please find a copy of the adopted Addendum No. 1 to the Madras Comprehensive Plan. The Addendum addresses those items noted by the Land Conservation and Development Commission in their October 11, 1979 hearing as deficiencies in the Comprehensive Plan.

Also attached is a copy of Ordinance No. 382 adopted by the Madras City Council November 13, 1979. The ordinance adopts by reference Addendum No. 1 to the Comprehensive Plan.

Also attached is a copy of the Jefferson County Court letter in which the Court concurs with the Addendum as adopted by the Madras City Council. Finally, a copy of a letter from Deschutes Valley Water District, in which concurrence with the adopted Madras Comprehensive Plan and Addendum is formally noted.

If you have any questions or need further information, please contact myself, or Mr. Dan Meader, our planning consultant.

Sincerely yours,



Ray H. Murray, Mayor

rlc
Enclosures

The first part of the report deals with the general situation of the country and the progress of the work during the year. It is followed by a detailed account of the various projects and the results achieved. The report concludes with a summary of the work done and the plans for the future.

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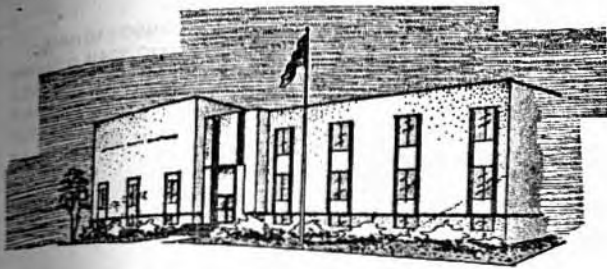
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Jefferson County

DEPARTMENT OF
LAND CONSERVATION
AND DEVELOPMENT

Madras, Oregon 97741

NOV 30 1979

DEPARTMENT OF
LAND CONSERVATION
AND DEVELOPMENT
November 26, 1979

DEC - 3 1979

BEND

SALEM

City of Madras
% Mr. Bud Miller, City Manager
Madras City Hall
Madras, OR 97741

Dear Mr. Miller:

Jefferson County has received the addendum to the City of Madras Comprehensive Plan which was adopted November 13, 1979 by Ordinance 382.

We concur with the addendum, and we hope that it will result in acknowledgement of compliance for the City of Madras.

Very truly yours,

Herschel Read
County Judge

HR:dc

The first part of the report deals with the general situation of the country and the progress of the work during the year. It is followed by a detailed account of the various projects and the results achieved. The report concludes with a summary of the work done and a list of the names of the persons who have taken part in it.

The work has been carried out in accordance with the programme of work approved by the Council of the League of Nations. It has been a most successful one and has resulted in the publication of several important documents. The results of the work have been most valuable and have helped to bring about a better understanding of the situation in the country.

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BOARD OF COMMISSIONERS
DWIGHT O. MACY, Chairman
GORDON SHOWN, Secretary
ROGER TATHWELL, Treasurer
NORMAN WEIGAND, Commissioner
F.J. CARPENTER, Commissioner

R.W. MACROSTIE, Manager
MEETINGS SECOND MONDAY
EACH MONTH
8 O'CLOCK P.M.

Deschutes Valley Water District

PHONE 475-2194

ROUTE 1, BOX 17

MADRAS, OREGON 97741

November 13, 1979

DEPARTMENT OF
LAND CONSERVATION
AND DEVELOPMENT

NOV 30 1979

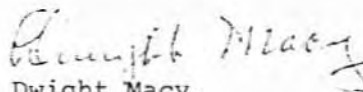
BEND

Tennessee Engineering Corporation
Attn: Dan Meader
412 West Second Place
The Dalles, Oregon

Dear Sir:

Deschutes Valley Water District is in general agreement with the City of Madras Comprehensive Land Use Plan as it addresses the domestic water service within the urban growth boundary. Deschutes Valley Water District presently serves the area within the urban growth boundary. The plan projects a growth area that is essential to any planning for future water distribution facilities.

Respectfully,


Dwight Macy,
Chairman of Board

ADDENDUM NO. 1

MADRAS COMPREHENSIVE PLAN

At the Land Conservation and Development Commission hearing on October 11, 1979, concerning the Madras Comprehensive Plan and implementing ordinances, the Commission noted changes which must be made in the Madras Comprehensive Plan in order to gain acknowledgment from the Commission. Therefore, the following changes in the form of an addendum are proposed for the Madras Comprehensive Plan. Rather than retype the entire document, this addendum will be attached to the Plan and specific page numbers, where the changes will appear in an update, will be shown on the addendum.

PUBLIC FACILITIES ELEMENT - Page 49

Deschutes Valley Water District

The Deschutes Valley Water District was incorporated about 1917. The consolidation of the Plains Water District and Deschutes Valley Water District in 1948 constitutes the district as it is today. Deschutes Valley Water District covers an area of 110 square miles with over 600 miles of transmission and distribution mains.

The source of supply is Opal Springs, on which the District has water right of 22.4 cfs. The total flow of the spring is an estimated 223 cfs. At present, the pumping capability is 4000 gpm that is transmitted through a 20" and a 12" discharge line against 946' of head to the main reservoirs. It is then pumped throughout the distribution system as far as 26 miles from the reservoirs.

In 1978-79 the District pumped 533 million gallons. An average day was 1.5 million gallons or about 0.9% of Opal Springs. A rough computation of the potential population that might be served would be 900,000 people compared to the present 8500. That figure must be modified a great deal considering the peak demand day for August, 1979 was 5.9 million gallons.

The District's future plans include a three year replacement and improvement construction schedule costing in excess of \$500,000. The District is working on preliminary plans for a new 20" transmission main and two 2.5 million gallon reservoirs estimated at \$3 million for the present time.

District policy is to replace old mains at 3 to 5 miles yearly, and to anticipate growth areas to assure an adequate supply of potable water is reasonably available to urban areas.

PUBLIC FACILITIES ELEMENT - Page 50

Storm Sewers

As the City of Madras only receives an annual rainfall of ten inches, there is little need for storm sewers in the City. The streets are designed to carry the water to Willow Creek, the natural drainage through the planning area. There are catch basins installed over dry wells in the downtown area and two small storm sewers located near Willow Creek. The City will require new subdivision design to provide for disbursal of storm water runoff in natural drainages or other means.

GOALS AND OBJECTIVES

Goal 5 - Page 78

Policy D. The City shall appoint the Jefferson County Museum Association as an advisory body to review historic sites, including any that should be identified at a later date.

1. If a potential historic structure is proposed to be demolished, the City may, on recommendation from the Museum Association, hold in abeyance the demolition permit for up to 90 days to allow the Museum Association to seek funds to preserve the potential historic structure or recommend other ways of preserving the structure.

Goal 11 - Page 81

Policy D. The City shall work with the Deschutes Valley Water District to develop and adopt an agreement for the provision of domestic water to areas within the Urban Growth Boundary.

At the October 11, 1979 meeting of the Land Conservation and Development Commission, the Commission moved to continue the Madras request for acknowledgement and address four statewide planning goals. Goals 5 and 11 have been addressed in the foregoing pages. The following will address Goals 10 and 14. This additional information will be inserted in the Housing and Urbanization Elements of the Plan at the first update.

At the Commission hearing on the Madras request, the Commission adopted the recommendations of the DLCDC staff. The recommendations for Goal 10 are:

1. Consider existing housing mix in both the urban and urbanizable area.

2. Determine future housing need by type of unit.
3. Demonstrate sufficient land zoned to permit the uses provided to meet those needs. The City must consider providing sufficient amount of R-2 land to meet multi-family needs.

The recommendations for Goal 14 are:

1. Demonstrate a need for residential land based on types of housing units provided.
2. Adopt an urban growth boundary consistent with that need. The City may also use a demonstration of development and commitment in the urbanizable area and demonstrate a need for public services in justifying the boundary.

What follows is a discussion of existing housing mix, housing projections, population projections and justification of the Urban Growth Boundary as adopted. The City has made the following assumptions in developing the analysis.

- A. The present housing mix in the planning area will continue at the same ratio.
 1. Double wide mobile homes are now allowed in the City within modular home subdivisions.
 2. The multifamily development will continue in or near the City center.
- B. The down zoning of approximately 6,700 acres of surrounding A-3 lands will cause a greater concentration of development within the Urban Growth Boundary.
- C. The Madras Industrial Site will continue to develop at its present jobs per acre ratio.
- D. The present percentage of public facilities, 24% in the City, will continue to be provided at the same rate as the Urban Growth Boundary area develops.
- E. The existing net single family dwelling density of the City will continue at the same rate.
- F. There will be little, if any, infilling of existing developed areas within the Urban Growth Boundary.

EXISTING HOUSING MIX, CITY OF MADRAS

The existing City housing stock was presented in the Comprehensive Plan. The housing mix within the City is as follows:

Type	Number	Percentage
Single family dwellings	439	66%
Multiple family dwellings	178	27%
Mobile Homes	47	7%
Totals	664	100%

EXISTING HOUSING WITHIN URBAN GROWTH BOUNDARY

The existing housing stock within the Urban Growth Boundary has been tabulated by using a 1978 aerial photo and field checking the photo on a quadrant by quadrant basis within the Urban Growth Boundary. Findings are as follows:

<u>Type</u>	<u>Number</u>
Single Family Dwellings	301
Mobile Homes	221
Total	522

Based on the 905 acres provided for residential use within the Urban Growth Boundary, the existing housing density within the Urban Growth Boundary is .58 units per acre when computed on a statistical basis. It should be pointed out that approximately 130 mobile homes are contained within three existing mobile home parks and residential densities vary from 4,000 square foot lot size up to 2 acres within the Urban Growth Boundary.

POPULATION PROJECTION

In re-evaluating the Comprehensive Plan, the City has reconsidered the population projection developed in June, 1977. At that time there were no economic indicators of additional employment opportunities within the Madras area. The prime economic objective of the adopted Comprehensive Plan is to develop an adequate water system to the Madras Industrial Site to provide for additional industrial growth in the area. Since the adoption of the Comprehensive Plan in June, 1979, the City, in cooperation with Jefferson County, has undertaken a \$12,000 study for the provision of water service to the Industrial Site. The study is now nearly completed and the findings are that water can be provided to the site by the Deschutes Valley Water District. The City is actively seeking funds for this project. At the present time, approximately 120 acres of the Industrial Site are developed. The 120 acres provide 385 jobs or 3.21 jobs per acre. Based on the continued development of the Industrial Site at the present jobs per acre rate, the City may expect 580 new jobs to be provided at the Madras Industrial Site over the next 20 years. With an estimate of 1 job per household, this yields a total population increase of 1,740. This, added to the anticipated 1 percent, yields a total population that the City may expect within the urbanizable area and the City of 3,340. This would result in an annual growth rate of 2.75 percent. Additional factors to be considered are the continued expansion of the Warm Springs Indian Reservation productivity. The Reservation is currently undergoing a 5.5 million dollar expansion of the existing lumber plant, is considering developing hydro-electric power sources, may consider developing a winter recreation area, and as range resources on the Reservation are utilized, may develop food processing plants. Of the 1,529 full time

jobs provided on the Reservation at the present time, approximately 900 live in the Madras area. As the Warm Springs Indian Reservation continues to expand, the Madras urbanizable area can expect additional impact from this expansion.

Growth is also occurring to the south of Madras. The Cities of Redmond and Bend are experiencing rapid growth rate due to industrial and tourist related activities. The City of Madras, coupled with the abundant water supply from the Deschutes Valley Water District, can readily anticipate spill-over growth impacts from these areas over the next 20 years.

HOUSING MIX ASSUMPTIONS

The present housing mix in the Madras area is as follows:

Type	Number	Percentage
Single family dwellings	740	62%
Multiple family dwellings	178	15%
Mobile Homes	268	23%
TOTALS	1,186	100%

Based upon a total population projection of 3,340 additional people, at an average household size of 3 persons per household, the City and the Urban Growth Boundary may expect an additional 1,113 homes. Based upon the current housing mix, the unit needs by type breakdown as follows:

Type	Number	Percentage
Single family dwellings	690	62%
Multiple family dwellings	167	15%
Mobile Homes	256	23%
TOTALS	1,113	100%

Multiple Family Needs

As provided in the Comprehensive Plan and the Zoning Ordinance, there are 52.42 acres planned and zoned for multiple family residential development. The Zoning Ordinance allows a maximum density of 14 units per acre. Current density, however, of multiple family units within the City per acre is 3.7 units. This is determined by dividing the number of units (178) by the number of developed multiple family acres (48.62). Based upon the existing density and projecting 167 additional multiple family units, the City would need to designate 45.01 acres of multiple family within the City. The City has designated 52.42 acres of multiple family lands within the City. At maximum density of 14 units per acre, the City would need only to designate 12.64 acres for multiple family development. Therefore, the City has designated adequate amount of land sufficient to meet the projected need of multiple

family residential housing. The City will continue to monitor development of multiple family housing in the City to insure the need for multiple family development is constantly met. There is no R-2 "Multiple Family" designated within the Urban Growth Boundary at the present time because of the present lack of sanitary sewer in the area.

URBAN GROWTH BOUNDARY ANALYSIS

As indicated on Page 68 of the Comprehensive Plan, there are 905.16 gross acres of land zoned for residential development in the Madras Urban Growth Boundary. By utilizing the public facilities factor as provided in the Housing Division's housing manual, and, as demonstrated within the existing City Limits, the Madras Urban Growth Boundary area must be prepared to provide 24 percent of that area for additional public facilities. This amounts to 217.24 acres, leaving a total of 687.92 buildable acres. In the City of Madras, current platting procedures and street width requirements take 24 percent of the gross land area for streets and public rights-of-way. Twenty-four percent of 687.92 acres equals 165.10 acres which will be developed as streets. This leaves a total of 522.82 net buildable acres within the Urban Growth Boundary.

905.16	Gross acreage
- 217.24	Public Facilities (24%)
<hr/>	
687.92	Buildable acres
- 165.10	Streets & Public Rights-of-way (24%)
<hr/>	
<u>522.82</u>	Net Acres within the UGB

ANALYSIS OF EXISTING DEVELOPMENT IN URBAN GROWTH BOUNDARY

The Urban Growth Boundary presently contains 522 housing units. The amount of net acreage required to support the existing development has been calculated utilizing the following method:

1. 1978 aerial photo was utilized determining the location of the existing development.
2. The County Assessor's records were reviewed and all lots less than two acres were tabulated.

The amount of net acreage presently utilized for residential development within the Urban Growth Boundary has been determined to be 249.24 net acres. This amounts to 2.34 housing units per acre.

There are 522.82 net acres available for residential land use within the Urban Growth Boundary. As indicated in the above analysis, there are 249.24 net acres developed within that 522 acres, leaving a total of 273.58 acres buildable within the Urban Growth Boundary.

The R-1 residential acreage available within the City Limits must now be added to the total. As indicated on Page 66 of the Comprehensive

Plan, there are 68.16 gross acres buildable, within the R-1 classification inside the corporate limits of the City of Madras. Utilizing the 24 percent street and public right-of-way factor, there will be 16.36 acres required for streets, leaving a total of 51.8 net acres available in the City. The public facilities factor is not utilized in this part of the analysis because the public facilities already exist within the City. Therefore, adding the 273.58 net acres buildable within the Urban Growth Boundary and the 51.8 net acres buildable within the City gives a total of 325.38 net acres available for residential use within the Madras planning area.

The City has a net density of 2.96 housing units per acre within the R-1 area. This is derived by taking the total developed R-1 lands within the City, 195.04 acres, and factoring out the streets, 24% of 195.04). This equals 46.81 acres currently provided as streets and public rights-of-way within the R-1 area of the City, leaving a total of 148.23 net acres currently utilized for single family residential development. Dividing that figure into the 439 existing single family dwellings, the City is able to determine there are 2.96 units per acre. While the Zoning Ordinance may allow 4.4 units per acre, the historical perspective in terms of existing developed density is 2.96. The City has chosen to use its existing density for future projection. Therefore, the carrying capacity of the buildable lands in the R-1 designation in the Madras planning area is 325.38 times 2.96 units per acre, equaling 963.12 housing units.

The revised projection for single family dwelling units, including mobile homes totals 946 units or within 17 units of the carrying capacity of the net buildable acres designated R-1 in the City and the Urban Growth Boundary. A statistical analysis in tabular form is provided as Exhibits 1 and 2.

It must be noted that the existing wastewater treatment plant was designed to carry a population of 6,000 persons. However, the City owns the land on which the plant is placed and there is ample acreage available for expansion of the treatment plant as required. The City will closely monitor the operation of the treatment plant to insure proper steps are taken when expansion is needed.

Statistical Analysis
Madras Housing Needs

EXISTING

<u>City of Madras</u>	<u>Number</u>	<u>Percentage</u>
Single Family Dwellings	439	66
Multiple Family Dwellings	178	27
Mobile Homes	47	7
	<hr style="width: 50%; margin: 0 auto;"/> 664	<hr style="width: 50%; margin: 0 auto;"/> 100%
 <u>Urban Growth Boundary</u>		
Single Family Dwellings	301	58
Multiple Family Dwellings	0	0
Mobile Homes	221	42
	<hr style="width: 50%; margin: 0 auto;"/> 522	<hr style="width: 50%; margin: 0 auto;"/> 100%
 <u>Total Madras Planning Area</u>		
Single Family Dwellings	740	62
Multiple Family Dwellings	178	15
Mobile Homes	268	23
	<hr style="width: 50%; margin: 0 auto;"/> 1186	<hr style="width: 50%; margin: 0 auto;"/> 100%

PROJECTED

$$\frac{\text{Projected Population}}{\text{Population per Household}} = \frac{3,340}{3} = 1,113 \text{ Households}$$

Projected Household Types, Current Housing Mix

Single Family Dwellings	690	62
Multiple Family Dwellings	167	15
Mobile Homes	256	23
	<hr style="width: 50%; margin: 0 auto;"/> 1,113	<hr style="width: 50%; margin: 0 auto;"/> 100%

Net Land Area Needs Based Upon Existing Density

Single Family Dwellings - 690 ÷ 2.96 units/acre =	233.11 acres
Multiple Family Dwellings - 167 ÷ 3.71 units/acre =	45.01 acres
Mobile Homes - 256 ÷ 2.96 units/acre =	<hr style="width: 50%; margin: 0 auto;"/> 86.49 acres
	Net 364.61 acres

Multiple Family needs are presently met within Madras city limits, therefore that area requirement is subtracted from the total.

364.61 acres

- 45.01 acres

NET R-1 ACRES REQUIRED 319.60

EXHIBIT 2

Statistical Analysis
R-1 Land Area Provided in
Madras Planning Area

Gross R-1 Acreage in Urban Growth Boundary	905.16
Less Future Public Facilities (24%)	<u>- 217.24</u>
Buildable Lands	687.92
Future Streets (24%)	<u>- 165.10</u>
NET BUILDABLE R-1 LANDS	522.82 Acres

EXISTING DEVELOPMENT

249.24 Net acres

THEREFORE

Net Buildable Acres	522.82
Less Net Developed Acres	<u>- 249.24</u>
Net R-1 Acreage in Urban Growth Boundary	273.58
Plus Net City R-1	<u>51.80</u>
Total Net R-1 Acreage Provided	325.38
Less Total Net Projected	<u>- 319.60</u>
TOTAL R-1 MARGIN	5.78 Acres

ORDINANCE NO. 376

AN ORDINANCE ADOPTING A COMPREHENSIVE PLAN DATED THE 20th DAY OF June 1979 FOR THE CITY OF MADRAS AND DECLARING AN EMERGENCY.

WHEREAS, The City of Madras, by and through its Planning Commission, conducted a series of hearings and studies to develop a Comprehensive Plan which said Planning Commission approved on Tuesday, February 27, 1979; and,

WHEREAS, the Madras City Council, having reviewed said Plan from time to time, and having appointed a Citizens' Involvement Committee in June of 1976, to be sure that all of the citizens of the community have the opportunity for input to said Plan, and thereafter after reviewing the same called a public hearing to be held on Tuesday, April 10, 1979, at 8:00 p.m., in the Madras Council Chamber; and,

WHEREAS, said hearing was advertised by notice in the Madras Pioneer newspaper of general circulation in Jefferson County, Oregon, and said hearing was held, and changes, corrections, and additional citizens' input were duly noted; and,

WHEREAS, the final revision of said Plan has now been made, and the Council having fully considered all such information finds that said Comprehensive Plan with provisions for revisions every two years is satisfactory.

NOW, THEREFORE, BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF MADRAS AS FOLLOWS:

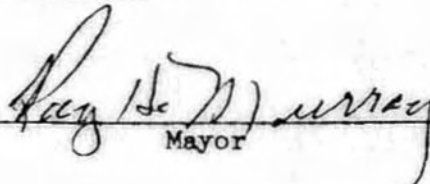
Section 1: The comprehensive Plan was filed with the Office of the City Recorder, is dated June 20, 1979, and is herein made a part hereof as fully set forth herein, and is hereby adopted as the Comprehensive Plan for the City of Madras from and after the date this Ordinance takes effect.

Section 2: It is hereby adjudged that existing conditions are such and the need for planning implementation is so urgent that this ordinance is necessary for the immediate preservation, the peace and general welfare and safety of the citizens of the City of Madras and an emergency is hereby declared to exist; and this ordinance shall take effect and be in full force and effect from and after its adoption by the common council of the City of Madras and its signing by the Mayor.

Passed by the Common Council this 20th day of June, 1979.


AYES 3
NAYS 0

Approved by the Mayor this 20th day of June, 1979.



Mayor

ATTEST:



Recorder

BEFORE THE COUNTY COURT

FOR JEFFERSON COUNTY

In Re the Adoption of the City of)
Madras Comprehensive Plan as an)
Amendment to the Jefferson County)
Comprehensive Plan)

Ordinance No. 0-98-79

WHEREAS, the City of Madras, Oregon, has adopted as part of its Comprehensive Plan an Urban Growth Boundary encompassing land lying outside corporate city limits, and

WHEREAS, that land within the Urban Growth Boundary is presently under the jurisdiction of Jefferson County, Oregon, and included with the Jefferson County Comprehensive Plan, and

WHEREAS, a public hearing on this ordinance was held before the Jefferson County Court on June 20, 1979, and notice of the hearing was published in the "Madras Pioneer" on June 6 and 13, 1979. Notice was also provided to all affected property owners according to provisions of ORS 215.503. This notice was mailed on June 1, 1979.

The County Court for Jefferson County, Oregon, does hereby ordain as follows:

The Jefferson County Court adopts the Comprehensive Plan for the City of Madras, Oregon, for that land designated as being within the City of Madras Urban Growth Boundary but outside corporate city limits as referenced and mapped in the City of Madras Comprehensive Plan and as adopted by the Madras City Council.

DATED this 27th day of June, 1979.

JEFFERSON COUNTY COURT

Herschel Read
HERSCHEL READ, County Judge

Gordon Galbraith
GORDON GALBRAITH, Commissioner

Mary Norton
MARY NORTON, Commissioner

ATTEST:

Elaine L. Henderson
ELAINE L. HENDERSON, County Clerk

CITY OF MADRAS
COMPREHENSIVE PLAN

June 1979

Prepared by:
Tenneson Engineering Corporation
409 Lincoln
The Dalles, Oregon

FOREWORD

PLANNING AREA

While this document is titled the MADRAS COMPREHENSIVE PLAN, it must be recognized that the plan takes into consideration more than the corporate limits of the City of Madras. The plan was developed in close cooperation between the City of Madras and Jefferson County, and does allocate land resources outside the city limits. Because of this, it will be necessary for both governing bodies to adopt this plan; The Madras City Council, for the lands inside the city limits, and the Jefferson County Court, for those lands outside the city limits, but inside the Urban Growth Boundary. The Urban Growth Boundary concept is relatively new to land use planning. Rather than attempt a definition here, it is recommended that the reader turn to the Urbanization section on page 62 for a complete explanation.

PLAN FORMAT

The plan is divided into four basic elements. The first element, the Introduction, outlines the reasons for land use planning, the process by which it is done, and the Citizens' Involvement Program. The second element, the Inventories, describes the existing conditions concerning a variety of topics within the planning area. This section also attempts

ELECTED AND APPOINTED OFFICIALS

CITY COUNCIL:

Dick Cowden, Mayor
Jack McBride
Reba Powell
Ray Murray
Paul Middleton
Cliff Herzberg
Greg Smith

CITY PLANNING COMMISSION:

Ron Mobley, Chairman
Bennie Jensen
Georgie Meraclé
Jack Watts
Rudy Younger
Floyd Courtain
Ray Carpenter

CITIZEN'S INVOLVEMENT COMMITTEE:

Ray Carpenter
Roy Moodenbaugh
Bob Kingery
Susan Finlay
Robert Duke

CITY STAFF:

A.P. Miller, City Recorder
Sumner Rodriguez, City Attorney
Dan Meader, Planning Consultant

COUNTY COURT:

Herschel Read, Judge
Mary Norton
Gordon Galbraith

COUNTY PLANNING COMMISSION:

Ted Freeman, Chairman
Barbara Frazier
Bill Donaghu
Shirley Joscelyn
Robert Farrell
Dick Kingsbury
Rube Evans

COUNTY PLANNING STAFF:

Bryan Christian, Former County Planner
Bob Martin, County Planner
Sandy Krueger, Planning Secretary
Michael Sullivan, District Attorney

to identify future needs for the planning area and project future requirements. The third element identifies the goals and objectives of the plan. This element indicates what the City wishes to happen over the next two decades. The fourth element, the land use element, allocates the land resources of the planning area to specific types of land uses and designates the locations of these land uses on the Comprehensive Land Use Map. This element also contains the formal policy statements concerning future growth and improvements in the planning area. The last portion of this element contains the administrative provisions of the plan. The administrative provisions deal with the methods by which the plan is changed or modified.

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SECTION I

INTRODUCTION

The City of Madras developed and adopted a comprehensive plan in 1970. Requirements for the content of comprehensive land use plans were changed in 1973 by the Oregon State Legislature. The 1973 Legislature, through Senate Bill 100, established the Land Conservation and Development Commission. The Commission was charged with the duty of formulating a minimum criteria of what a comprehensive plan must address. This was done in the form of statewide planning goals which were adopted by the Commission in 1975. The City Council reviewed the existing plan and determined the plan should be revised and updated to comply with the established statewide planning goals and to meet changing needs of the City. The following pages contain the revised comprehensive plan for the City of Madras. The goals and objectives for the future development of Madras represent the decisions of interested citizens, elected and appointed officials, and other governmental agencies. These decisions are based on the best information available at the time of plan formulation and development. This plan is not meant to be cast in stone. As conditions and needs change over time, it shall be constantly monitored to insure that it responds to the community's requirements.

PURPOSE AND IMPORTANCE OF THE COMPREHENSIVE PLAN

The comprehensive plan serves as a guide for future community leaders in making land use decisions. Future land development must be in accordance with the adopted plan. Recent Oregon Supreme Court decisions have clarified the importance of comprehensive plans by determining the implementing ordinances (zoning and subdivision) must be in accordance with the comprehensive plan. Because of the extreme importance of the plan to the City, the planning process shall insure that:

1. An adequate factual data base is developed.
2. A broad based Citizen Involvement Program is utilized.
3. Information regarding the data and the draft and final adopted plan are readily available to the public. The adopted comprehensive Plan shall be on file at the Jefferson County Clerk's Office and at the Madras City Hall.

THE PLANNING PROCESS

The planning process involves several steps. It is initiated by establishing some preliminary goals that the plan should accomplish. This is usually done by noting any particular problems of the City and specific needs that should be addressed. The next step is to conduct inventories and

assemble information concerning various topics and conditions as they exist within the planning area. For example, some of the topics the plan will address include economics, natural resources and public facilities.

After the information for each topic is assembled, tentative alternatives and goals are established. Once all topics have been inventoried and alternatives established, the next step is to compare the various goals and objective alternatives with one another to insure compatibility. For example, it would not be compatible to project a population of 10,000 for a community, and plan public facilities, such as schools, to serve a population of 2,000. This step or phase of the planning process requires the resolution of conflicts among the goals and objectives of the plan and often will require some trade offs between them.

Once the goals and objectives are compatible, the last phase or step of the initial planning process is the actual land resource allocation. This is the establishment of the various land use categories the City will utilize, such as residential, commercial and industrial. These land use categories will be mapped on the Comprehensive Land Use Map to indicate the specific boundaries of each.

The adopted plan is implemented by preparing and adopting zoning and subdivision ordinances that carry out the goals

and objectives of the plan in terms of land use. The Planning Commission must then constantly monitor the plan and ordinances to determine their effectiveness. The plan and ordinances must be reviewed to insure that they are responsive to the needs and desires of the residents of the City and planning area.

Both the City and the County must adopt the plan. The City and County Planning Commissions, after formulation of a draft plan will conduct public hearings to receive citizen input. Once that is completed and necessary revisions to the draft plan made, the Commissions will recommend the draft to their respective governing bodies, the Madras City Council, and the Jefferson County Court. Both of the elected bodies will conduct public hearings on the plan prior to adopting it. The plan must be adopted by ordinance by both elected bodies.

The City Planning Commission began work on the revision of the comprehensive plan in April of 1977. The Commission met every two weeks in workshop sessions to review the assembled data. The information gathering and coordination of the planning process were accomplished in cooperation with the Jefferson County Planning Commission and staff. To insure the maximum public input into all phases of the planning process, the Madras City Council appointed a separate Committee for Citizen Involvement in June 1976. The Committee formulated and recommended for adoption the following

Citizens' Involvement Program:

CITIZENS' INVOLVEMENT PROGRAM

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 meeting 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 to 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.

The Citizens' Involvement Program will provide more than adequate means of communication between local government and residents. The workshop meetings and public hearings shall be conducted in a manner that will draw the maximum amount of citizen input available. Citizens will be asked to assist in developing inventories and reviewing progress of the Planning Commission.

Most of the methods outlined in the Citizens' Involvement Program can be accomplished with little cost other than time. The City has budgeted \$250 per year toward implementation of the Citizens' Involvement Program.

AGENCY INVOLVEMENT PROGRAM

A list of local, state and federal agencies and special districts was compiled at the outset of the planning process. These governmental units all have an interest in the development of the comprehensive plan for Madras. All interested agencies were notified and their input was requested during the planning process. In addition many agencies were contacted personally by City Staff to develop the data base from which the plan is formed. All interested agencies have been given the opportunity to review and comment on the draft plan.

The City Council adopted the Citizen's and Agency Involvement Program on June 8, 1976.

SECTION II

INVENTORIES

BACKGROUND INFORMATION

The City of Madras is located near the center of Jefferson County. It is at the junction of U.S. Highway 26 and U.S. 97 and is approximately 120 miles southeast of the City of Portland. The City serves as a retail service center for the surrounding agricultural lands. In addition, the City provides tourist facilities for travelers enjoying the many recreational opportunities of the Central Oregon area.

Madras serves as the county seat of Jefferson County and is the largest of the three incorporated cities within Jefferson County.

History

The first white man in the area was Peter Skene Ogden, a trader for the Hudson Bay Company. On his second Snake River journey from Fort Nez Perce (Walla Walla) between November 1825 and July 1826 he crossed the Deschutes River near the mouth. From the present site of The Dalles, he followed a route west of Tygh Ridge and crossed the Warm Springs and Deschutes Rivers again to arrive at the present site of Madras. From there he followed the Crooked River and made his way back to the Snake River. In 1843, John C. Fremont, guided by Kit Carson, crossed the Warm Springs area on his way

to Nevada. Due to Indian trouble, settlement of the area did not follow very fast. In fact, settlement was discouraged officially. On August 7, 1856, General John E. Wool, Commander of the Department of the Pacific of the U.S. Army, issued an order to Colonel George Wright at The Dalles forbidding immigrants to locate east of the Cascades. The Cascade Mountain range was considered a wall of separation between the Indians and the whites. This order was revoked by General Harney on October 31, 1858. In 1862, the first road was built across the Cascades in order to provide a passageway for traders who wanted to supply the towns in Eastern Oregon, where mining was under way. As a result of these roads, white settlers began to move into what is now Jefferson County.

In 1855 treaties were drawn up with bands of the Wasco and Walla Walla Indians creating the Warm Springs Indian Reservation. In addition to the Wasco and Walla Walla Indians, a number of Paiutes arrested during the military campaign against them between 1865 and 1868 were also settled on this reservation. White settlers soon began to fill every available site with homes and farms. Shortly after 1900, the construction of two railroads began between the Columbia River and Madras. The two lines were on opposite sides of the Deschutes River, and the crews had constant feuds and many bloody battles. Finally, the Deschutes line, backed by

E.H. Harriman, was abandoned. The Oregon Trunk Railroad, built by James J. Hill, is still in operation. Arrival of the railroad in Madras was observed in Madras in ceremonies held February 15, 1911. At about this time the first irrigation project was started.

The City now known as Madras was originally called Palmain, a modified spelling of Palmehn, the name of the man who spearheaded the first settlement in what had earlier been known as "the basin". Tradition has it that post office authorities objected to "Palmain" because of its similarity to "Palmer" another post office then existing. Someone suggested "Madras" because of the supply of madras cloth available in the general store. The name was adopted forthwith. The City was incorporated in 1910.

PHYSICAL CHARACTERISTICS

Topography

The City of Madras lies in a basin at the head of the Willow Creek Canyon which cuts through Agency Plains to the Deschutes River. The land is moderately sloping except on the north side of the town where it slopes steeply up to the Agency Plains. Except for the Madras Industrial Park, which is located on Agency Plains and tends to slope to the west, both the south and north areas drain into the City to Willow Creek.

The elevation at the lowest part of Madras is about 2,230 feet. The elevation in the south area varies from 2,260 to 2,420 feet. The elevation in the north area varies from 2,250 feet to 2,480 feet on Agency Plains.

Hydrology

Most of the planning area lies in the Willow Creek basin, a sub-basin of the Deschutes River basin. Willow Creek is an intermittent stream that normally flows from about mid-December through mid-July. During the summer and fall months, irrigation runoff and occasional heavy thunder showers are the only sources of flow to the creek.

The ground-water table occurs at an altitude of about 1,900 feet in the Madras area (approximately 300 feet below the ground surface), and appears to have a gradient to the northwest under Agency Plains to the Deschutes River. Perched ground water can be found in a gravel layer on top of impermeable sandstone in some areas of town. This water may be as shallow as 18 to 20 feet below the ground surface, and appears to lie in old stream beds of Willow Creek.

Climate

The Madras area lies in the weather shadow of the Cascade Range causing a semi-arid climate. The area receives only about 10 inches of precipitation annually and experiences

nearly 50 inches of evaporation. The area has an average annual snowfall of about 15 inches and a growing season of 100 days.

Climatological Data

<u>Month</u>	<u>Mean Temperature</u>	<u>Precipitation Normals</u> <u>In Inches</u>
JANUARY	31.1 ⁰ F	1.33
FEBRUARY	36.9	0.83
MARCH	39.8	0.69
APRIL	45.5	0.53
MAY	52.7	1.04
JUNE	59.2	1.10
JULY	65.5	0.33
AUGUST	64.0	0.34
SEPTEMBER	57.8	0.48
OCTOBER	47.9	0.80
NOVEMBER	39.1	1.41
DECEMBER	34.1	1.31
ANNUAL	47.8	10.19

Geology

Madras lies in a small valley in a broad flat plain, which lies between the Cascade Mountains on the west and the Ochoco Mountains on the east. This valley is rimmed on the west by the edge of a basaltic lava flow, sometimes called the "Rim-rock Lavas".

The area is underlain by the Madras formation, composed of stratified layers of sand, silt, ash, and pumice and contains some gravel lenses and interbed lava flows. The sedimentary layers of this formation are fine grained and do not provide

a good aquifer, but the gravel lenses and interbed volcanic material yield moderate to large supplies of ground water.

Soils

The soils found in the area are predominantly of Madras and Metolius series. Metolius series are found in a narrow strip along Highway 97 north of town, and soils generally classified as Rough land, Scabland, Volcanic Ash, and Agency soils are found along the rimrock along the west side of the planning area.

The Metolius soil is a well-drained, sandy loam soil formed from alluvial or aeolian materials. The permeability is moderately rapid, but the runoff is slow. Because of the potential to flooding, the soils have been given a moderate rating for septic tank installations. These soils are highly suited for agricultural crops having an effective rooting depth of 60 inches or more. The Soil Conservation Service has rated the Metolius series in capability classifications II and III, when irrigated.

The Madras series found in the planning area consists of sandy loam soils formed in colluvium. The soils are relatively shallow, having a depth to hardpan of 20 to 30 inches and a depth to bedrock of 25 to 40 inches. Both the hardpan and bedrock are "rippable". The Soil Conservation Service has rated the Madras series soils in capability classifications

II, III, and IV, with irrigation. Drainage varies from rapid through the surface layers to very slow through the hardpan. The Madras soils generally have moderately severe to severe limitation for use for tilled crops. The land is used primarily as range land and dry farming with a low yield of grain crops being produced.

The Rough land, Scabland, and Volcanic Ash and the Agency soils found along the 'rimrock' are too stony to be tilled. Steep slopes limit irrigation, making this land unsuitable for agricultural uses.

A soils map is not provided. A complete analysis of each soil type, together with soils maps, is available in the technical information as provided by the Soil Conservation Service. There are no "weak foundation" soils in the planning area.

AGRICULTURAL LANDS

Within the present city limits of Madras there is very little agricultural production, with the exception of some open lands used for livestock pasture. There are several small acreages of producing agricultural lands in the Madras planning area. The principal crops are wheat, mint, and potatoes.

General Discussion

Existing land use patterns in the Madras planning area pose difficult problems for comprehensive planning. The City has

grown in a linear fashion from south to north, covering a large area, over four miles. In recent years, development has begun to move east and west from the City. Much of the development outside the City has occurred without the concurrence of the City. The Deschutes Valley Water District provides domestic water outside the city limits. The availability of public water and the allowance of septic tanks on 10,000 square foot lots with the public water has made the larger lot outside the City more attractive than smaller lots with additional taxes inside the City. The result has been development of an urban fringe area of over 12 square miles. Lands within that area which are suitable for agricultural purposes have been maintained, primarily by the economic marketplace more than planning or zoning regulations. The land use pattern that has resulted is a patchwork quilt of agricultural lands on the flat lands with rural subdivisions on ridges, the non-farmable lands. The City does not wish to discourage the continuation of farming on suitable lands in the urban area. However, in order to provide sensible planning for the future, future needs must be anticipated and the City considers the lands within the designated Urban Growth Boundary suitable for development over time.

FOREST LANDS

There are no forest lands in the planning area; therefore, the state planning goal concerning forest lands is not applicable.

NATURAL RESOURCES

The geographic location of the Madras planning area in Central Oregon precludes the existence of many natural resources.

There are no known mineral and aggregate resources, energy sources, or ecological and scientific natural areas within the planning area. There are also no wetlands or watersheds, wilderness areas, cultural areas, or developed recreation trails within the planning area.

The existing development patterns of the City provide large areas of open space intermixed between areas of development. The City maintains a large city park in the downtown core area. The park offers picnicking and limited playground facilities for children. A small neighborhood park on the northeast side of the City is yet to be developed.

The stream of Willow Creek passes through Madras in a westerly direction. Willow Creek is an intermittent stream which normally flows from mid-December through mid-July. During the summer and fall months, irrigation runoff and occasional heavy thundershowers are the only sources of flow to the Creek. Because of the periods of no flow during the summer months, there are no fish or fish habitats in the stream.

The groundwater table occurs at an altitude of about 1,900 feet in the Madras area and is approximately 300 feet below the ground surface. It appears to have a gradient to the northwest under Agency Plains to the Deschutes River. The

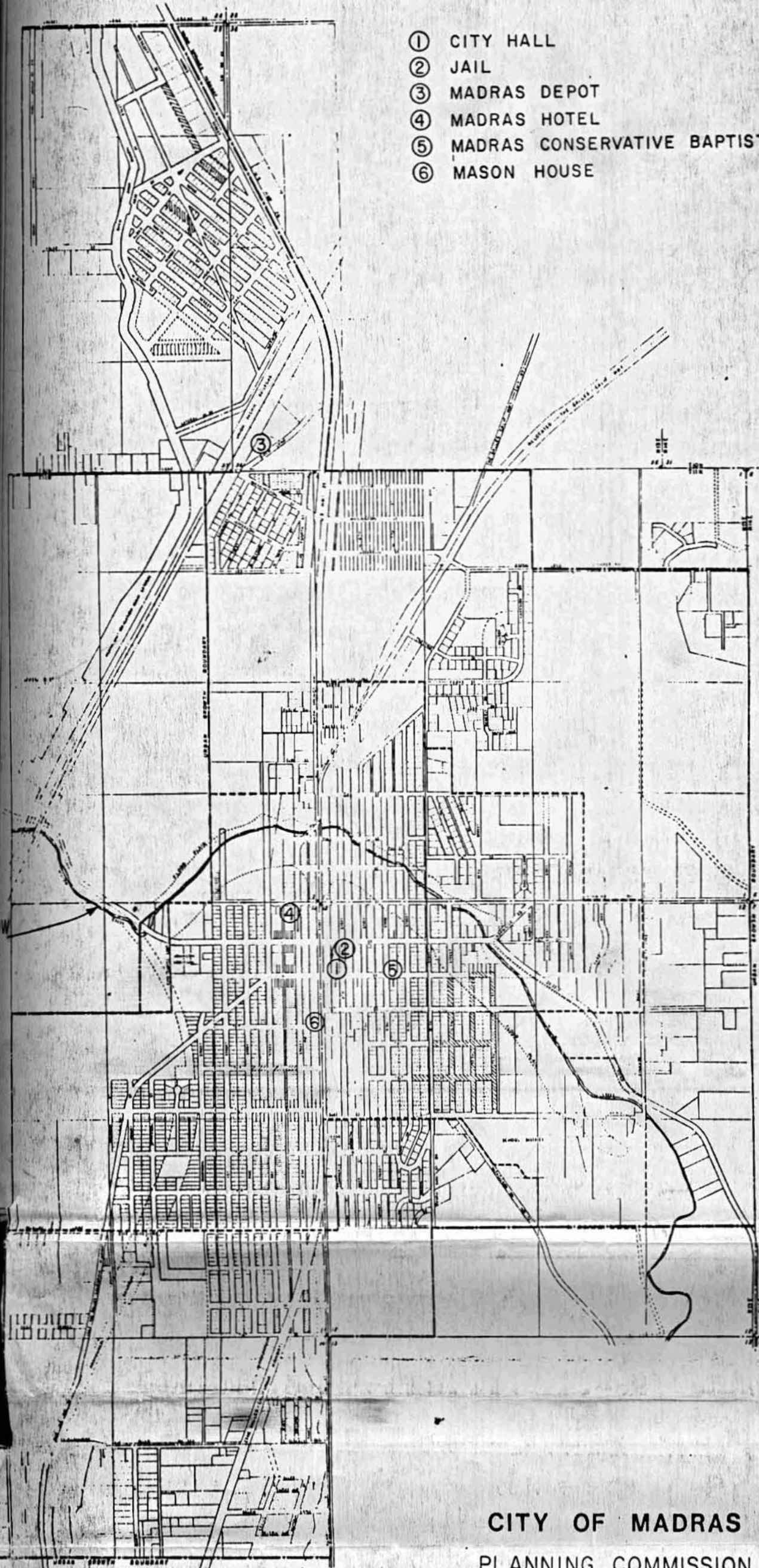
first groundwater can be found in a gravel layer on top of impermeable sandstone in some areas of town. This water may be as shallow as 18 to 20 feet below the ground surface and appears to lie in old stream beds of Willow Creek.

Almost any location in the City offers scenic views and vistas of the nearby Cascade Mountain Range. It is the desire of the City to preserve this scenic resource for the enjoyment of the residents of the City. To that end, the City shall establish height regulations to limit the height of structures, residential and commercial, in the zoning ordinance.

There are two historic structures the City wishes to preserve in Madras. These are the old cityhall/county courthouse and jail constructed in 1911. The cityhall/county courthouse has been recently renovated and now serves as an office building for governmental agencies. The second story of the building is being converted into a museum operated by the Jefferson County Museum Association. Other historic sites identified by the statewide inventory of historic sites and buildings in 1976 include the Madras Railroad Depot, the Madras Hotel, the Madras Conservative Baptist Church, and the Mason House. These structures are under private ownership. The City will cooperate with the Museum Association should any of the structures become available for restoration.

Wildlife in the area is limited to those species which are common to urban residential areas. There are no known endangered species in the area.

- ① CITY HALL
- ② JAIL
- ③ MADRAS DEPOT
- ④ MADRAS HOTEL
- ⑤ MADRAS CONSERVATIVE BAPTIST CHURCH
- ⑥ MASON HOUSE



CITY OF MADRAS
PLANNING COMMISSION
COMPREHENSIVE PLAN
HISTORICAL SITES

AIR, WATER, AND LAND RESOURCE QUALITY

The air quality of the Madras planning area is considered quite good. There are five or six industrial plants which are known to discharge particulate matter into the atmosphere. These are not known to violate current state and federal regulations. The nearest Department of Environmental Quality monitoring station is located in Bend.

The City's source of water supply consists of three wells supplemented during the summer months by water obtained from the North Unit Irrigation District's main canal. Two of the existing wells are located to the north of the City and are approximately 175 to 200 feet apart. The third is located west of the City maintenance shops. The wells are drilled to a depth of 300 to 450 feet. The City's water supply does receive prechlorination and currently meets federal and state water quality standards.

The City constructed, within the existing city limits, a wastewater collection system and requires all users inside the City to utilize this system. Areas outside the City have been utilizing septic tanks and drainfields on 10,000 square foot lots where a public water system is available. The City has developed, with the assistance of the Environmental Protection Agency, a facilities plan. The plan was developed in October, 1976, to provide collection facilities to these outlying areas. The facilities plan notes that drainfields

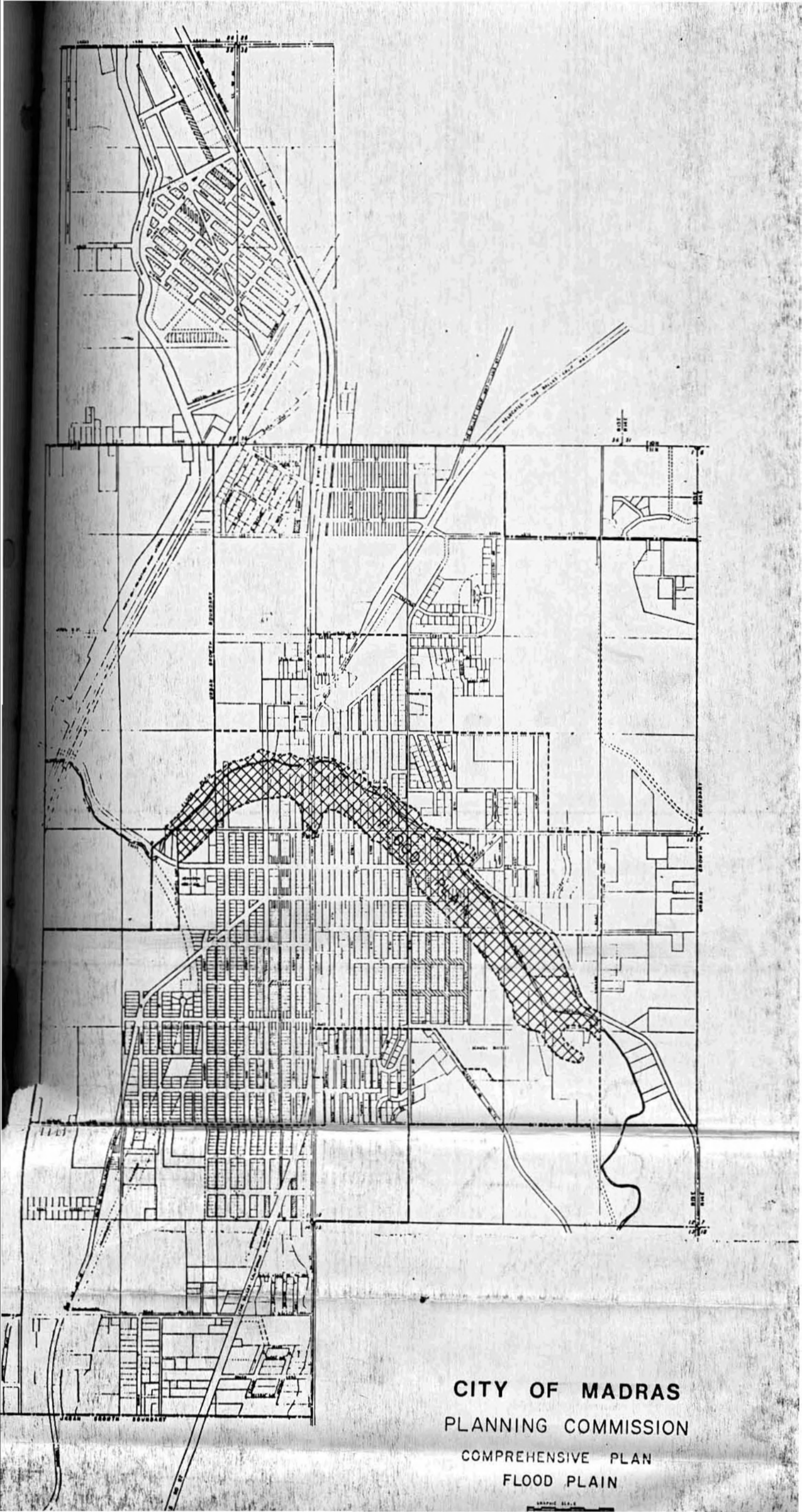
in the study area have very limited effectiveness because of the shallow topsoil. The impervious layer of sandstone just under the surface in most areas keeps the wastes in the very shallow topsoil. In most of the planning areas, the topsoil cannot meet the statewide requirements for drainfields. The area adjacent to the City, proposed to be provided with wastewater collection system, is approximated by the Urban Growth Boundary, as indicated on the Comprehensive Plan Map. Further support of the boundary designation is indicated by a recent study by the Oregon State Department of Environmental Quality. The study of the area surrounding the City of Madras revealed heavy use of sanitary sewage disposal wells. Oregon Revised Statutes require the discontinuation of the use of disposal wells by the first of January, 1980. The area involved adjacent to the City totals approximately 1,300 acres and involves over 400 structures. Over 300 of those structures presently utilize disposal wells as a means of sanitary sewer disposal. In order to meet Oregon law, this area must be considered for future sanitary sewer service when establishing an Urban Growth Boundary.

NATURAL HAZARDS

The most significant natural hazard in the Madras planning area is the danger of flooding from Willow Creek during periods of heavy runoff. The flood plain limits are identified on the Natural Hazards Map and are also indicated on the Comprehensive Plan Map. The City has developed a special ordinance to

preclude the development of these areas without proper flood proofing. The topography of the City precludes the danger of a landslide in most locations in the planning area.

There are no known erosion areas or weak foundation soil areas in the planning area. The planning area is not located on a known earthquake fault or earthquake zone, although the City has felt the effects of aftershocks of earthquakes whose epicenters were located 50 to 60 miles north of the City. There are no other known natural hazards within the planning area.



CITY OF MADRAS
PLANNING COMMISSION
COMPREHENSIVE PLAN
FLOOD PLAIN

GRAPHIC SCALE

INVENTORIES

THE HUMAN ENVIRONMENT

SOCIAL CHARACTERISTICS

RECREATION

The geographic location of the City, in the heart of the Central Oregon recreational area, provides a natural environment for the enjoyment of outdoor recreational activities. The City hosts many visitors who enjoy the fishing, watersports, and rockhounding opportunities that the area offers. Cove Palisades, a major Oregon State Park, lies approximately nine miles southwest of the City. The park offers outstanding fishing, waterskiing, and camping facilities. Currently, over one-half million people visit the park each year. Madras serves as the commercial center for the area.

Most recreational activities available to area residents and visitors take place outside the City. Because of this, the City has only one developed city park. The park is provided with playground equipment for use by small children. There are also playgrounds available at both school locations. In addition, there are three baseball diamonds located at the County Fairgrounds. An extensive areawide Little League baseball program is available each year.

Other major recreational opportunities in or near the City include a public nine-hole golf course to the north of the City and an indoor rodeo arena at the Jefferson County Fairgrounds. The County Fairgrounds host the annual county fair,

an annual rockhounds' convention, and various 4-H and FFA activities.

There are three active gun clubs with rifle, pistol, and shotgun ranges located outside the City. The Central Oregon area offers some of the finest hunting in the State, and many local residents are quite active in this outdoor sport.

Tennis is becoming a major summer recreational activity in the area although, at the present time, there are only four tennis courts in the City. The resultant overcrowding indicates the need for additional facilities. There has been recent interest in handball and racquet ball courts.

The City has also determined a need for a municipal swimming pool. The City has begun to consider the feasibility of obtaining the necessary lands to construct a recreation facility that would meet the needs of the City. This would include tennis and handball courts, swimming pool, and other recreational activities.

The topography and street layout of the City makes the use of bicycles very practical. Provided funding can be obtained, the City would like to establish several bike paths throughout the City. The City, in cooperation with Jefferson County, would like to improve and maintain a hiking/bike path along Willow Creek. Some of the path is inside the City with the remainder in Jefferson County. The now abandoned railroad

bed along Willow Creek down to Pelton Dam is an excellent base for the path, but it needs to be upgraded. The path is now being utilized by local joggers.

In determining future recreational needs, it became apparent that small neighborhood playgrounds will be needed. Land for this type of park may be required in new subdivisions in the City.

ECONOMICS

The City of Madras serves as the regional shopping center for all of Jefferson County. Commercial activity is conducted both within the existing city limits and in the surrounding lands adjacent to the city limits. The main commercial activity is conducted along the two main streets of the City which stretch out over two miles. There are various types of commercial and industrial activity carried on within these boundaries.

Specific economic data concerning the City is not available however, data for all of Jefferson County is. Because of the economic inter-relationship of the jurisdictions, this data is presented to give an overview of the economic conditions of the City.

In 1976 a committee was formed to develop an overall economic development plan. The project was finalized and formally

adopted on June 29, 1977, by the Jefferson County Court. The following economic information was taken from that report.

Population. Total population of the county has fluctuated widely since it was first settled, but the general trend over the past 25 years has been one of gradual growth with the population in July of 1977 certified (Portland State University) at 10,100.

Madras is the county seat and population center, with an estimated population of 2,260, and with an equal number residing in the urban area outside the City. Culver has a population of 460, and Metolius has a population of 450. The remaining residents are scattered throughout the county, largely in the irrigated agricultural lands.

The compositions by age and sex of the population of Jefferson County is much the same as the composition of the population of the State of Oregon, although the median age is significantly lower, 26.5 in the 1970 census, compared to the State's median age of 30.3 years. The median age has increased slightly over the past seven years.

About 43 percent of the County's population is under 18; 52 percent are 18 to 64; and 5 percent 65 or over.

Fifty-two percent of the population are male and 48 percent female.

Native Americans are a significant minority since the County includes the community of Warm Springs and the more heavily populated segments of the Warm Springs Indian Reservation.

Mexican-Americans are the second largest minority, but the number fluctuates as demand for labor in the agricultural community changes. Most are American citizens, but at times immigrants travel to the area to work in the fields, mostly manual or "stoop" labor. Exact figures for the number of Mexican-Americans are not available.

There are few blacks in Jefferson County, less than one percent of the total population.

"Social Accounting for Oregon, 1976" listed the median family income at \$12,396.00 in the county.

Labor. Jefferson County has approximately 4,230 persons 16 years of age and older as of April 1, 1976, according to the Oregon State Employment Service. The unemployment rate at that time was 8.4%.

Unemployment rates in the county are historically low, as shown by a comparison of unemployment in 1974 and 1975 (State Community Service Program, Department of Human Resources). The monthly average of unemployed in 1974 was 350 persons, dropping to 340 persons in 1975, 8.3% and 8.0% of the county population, respectively.

Principal labor needs in the county are skilled agriculture and non-agriculture mechanics, welders, service workers, such as cooks, waitresses, motel workers, etc.

There is a perennial shortage of registered nurses, trained medical technicians, and other professional and quasi-professional personnel.

During the summer season there is always a demand for farm labor, which is filled to some extent by migrant workers (including illegal Mexican-American immigrants) and a shortage of service workers.

It is estimated by the Oregon State Employment Service that as of April 1, 1977, only 35 persons in the county have been unemployed for a year or longer.

According to the Oregon State Employment Service, agriculture drew from 50 to 250 workers, both intrastate, mainly from the Willamette Valley, and interstate during the growing and harvest season.

Oregon State Employment Service reports for the 1976 season show 150 interstate workers as of May 1 and 75 intrastate workers. The lowest semi-monthly report figure was mid-August with only 25 interstate workers and like number of intrastate workers. By the end of August the figures had increased to 100 intrastate workers and 150 interstate workers.

It is estimated that 90% of the agricultural workers are Spanish-speaking. No figures are available concerning which percentage are citizens and which are Mexican immigrants.

Unemployment figures tend to present a false picture because of the unique nature of the employment pattern. The seasonal labor force is made up largely of persons from other areas of the state, as shown above, plus an undeterminable number of illegal Mexican immigrants. They are included in the "employed" column during the growing and harvest seasons but during the off season return to their homes and are not reflected in the unemployment totals for the county.

While Warm Springs is a separate economic unit, employment on the reservation has a direct bearing on the Jefferson County economy. Periods of low employment show up immediately with lower sales figures in Jefferson County businesses.

There were 413 non-Indians employed on the reservation in July, 1973, and 480 Indians, a 46-54 ratio. Since that date, there are more jobs, particularly at Kah-Nee-Ta resort and at Warm Springs Forest Products Industries. Although some of the non-Indian employees live on the reservation, the preponderance live in Jefferson County and commute.

Unemployment on the reservation has declined steadily as the Confederated Tribes continues to work to spur full employment and proper employment, compared to unemployment and under-employment.

In 1965, 58% of the total work force was unemployed with 248 individuals on the unemployment rolls. In 1973, that figure had dropped to 12% with 60 individuals unemployed.

It is anticipated the employment picture will steadily improve as plans for economic development are carried through by the Confederated Tribes with an attendant boost to the Jefferson County economy.

Gourmet Foods employs a substantial number of people in the potato packing sheds in Metolius, and there are an undetermined number of people employed at other packing sheds. Employment is seasonal in the agriculture-related operations.

Jefferson County Population

<u>Year</u>	<u>Number</u>	<u>Percent Change</u>
1920	3,211	
1930	2,291	-28.7
1940	2,042	-10.9
1950	5,536	171.1
1960	7,130	28.8
1970	8,548	19.8
1977	10,100*	15.3
1978	10,200*	

*Center for Population Research estimate.

Percentage of Person by Age in Labor Force
Jefferson County, 1970

<u>Age Group</u>	<u>Male</u>	<u>Female</u>
14-15 years	29.9	10.6
16-17 years	50.9	25.6
18-19 years	39.8	44.9
20-21 years	91.3	31.3
22-24 years	89.4	45.7
25-34 years	97.4	50.1
35-44 years	93.4	54.3
45-64 years	91.6	53.4
65 years and older	27.0	11.3

Source: U.S. Bureau of the Census, Census of Population: 1970 General Population Characteristics, Final Report PC (1) B39 Oregon, U.S. Government Printing Office, Washington, D.C., 1971.

Industry Group of Employed, Jefferson County, 1960 and 1970

<u>Industry</u>	<u>Number Employed</u>	
	<u>1960</u>	<u>1970</u>
<u>Total employed 16 years and over</u>	----	3,352
Agriculture, Forestry and Fishery	661	628
Mining	8	11
Construction	146	161
Manufacturing	416	355
Lumber and Wood Products	362	234
Food and Kindred Products	35	50
Other	19	81
Transportation	67	41
Communications	11	24
Wholesale Trade	127	400
Retail Trade	457	366
Business Services and Repair Service	73	26
Personal Services	161	191
Hospitals	---	73
Educational Services	139	294
Professional and Related	57	26
Public Administration	79	243

Source: U.S. Bureau of the Census, Census of Population: 1970 General Social and Economic Characteristics. Final Report PC (1) - C39 Oregon, U.S. Government Printing Office, Washington, D.C., 1972.

Number of Families by Income Range
Jefferson County, 1969

<u>Income Range</u>	<u>Jefferson County</u>
<u>Families</u>	
Under \$1,000	79
\$1,000 - 1,999	83
2,000 - 2,999	94
3,000 - 3,999	128
4,000 - 5,999	274
6,000 - 7,999	343
8,000 - 9,999	806
10,000 -14,999	559
15,000 -24,999	248
25,000 -49,999	56
50,000 and over	0
All families	2,170
Mean family income	9,379
Median family income	8,549

Source: Bureau of Governmental Research and Service, School of Community Service and Public Affairs, Income and Poverty Data, Cities and Counties of Oregon, 1969, University of Oregon, 1972.

Number of Persons by Racial Group, Jefferson County, 1970

<u>Racial Group</u>	<u>Number</u>	<u>Percent</u>
Caucasian	6,989	81.76
Spanish Language	170	1.99
Black	46	0.54
American Indian	1,325	15.50
Other	18	0.21
TOTAL	8,548	100.00

Source: Income and Poverty Data for Racial Groups: A Compilation for Oregon Census County Divisions, Special Report 367, Oregon State University, 1972.

Agriculture

Agriculture is the most important part of the economy of Jefferson County. A total of 356 farms reported by the 1969 agricultural census have a total area of 502,727 acres, about 44 percent of the county's total area.

About 16 percent of the farms are under 50 acres in size, while another 28 percent have between 50 and 180 acres. About 16 percent of the farms have more than 1,000 acres. The average is above 1,400 acres, due to the presence of large livestock raising operations.

The main farms, by type, are field crop or livestock raising. About 20 percent of the farms are unclassified by type.

The main crop in 1976 was peppermint with \$12.7 million in gross income.

Crops

Wheat, \$4.1 million; feed grains, \$123,000; hay and silage, \$1.4 million; grass and legume seed, \$1.7 million; potatoes \$0.85 million; speciality crops, \$0.6 million. Total crop income was \$21,677,000.

Livestock

Cattle, \$3.8 million; hogs, \$0.2 million; sheep and lambs, \$0.36 million; miscellaneous animals and products, \$0.12 million. Total livestock income was \$4,462,000.

Total agricultural income in 1976 was \$26,139,000, basing the estimate on average crop yields and projected market prices, assuming all crops will be sold within the normal market year.

Manufacturing

An analysis of the manufacturing firms of Jefferson County by industrial classification code, in terms of the number of people employed in each classification, indicates which industries are the major employers. The lumber and wood products industry employs 82 percent of the manufacturing related labor force. Of the employees remaining, 30% are employed by the manufacturers of agricultural related machinery, 39% by manufacturers of leisure-oriented products (Bramco Boats and Tote-Pac Company), and 31% miscellaneous manufacturing.

This analysis indicates the dependency of Jefferson County on the economic climate of a few industries. The lumber and wood products industry, the agricultural industry, and tourism and recreation vitally affect the majority of the labor force. Industrial diversification may be a partial solution to this problem.

MANUFACTURING FIRMS IN JEFFERSON COUNTY

<u>Name of Firm, By City</u>	<u>Number of Employees</u>	<u>Standard Industrial Classification Code</u>
<u>CULVER</u>		
Bramco, Inc.	45	3732***
<u>MADRAS</u>		
Bright Wood Corporation	85	2431*
Deschutes Redi-Mix	4	3295
Evergreen Forest Products	6	2875
Foster Manufacturing Co., Inc.	24	3523**
Full Circle, Inc.	20	2875
H. & S Custom Cabinets	2	2434*
Keith Manufacturing Co.	10	3523**
Madras Pioneer, The	8	2711
Madras Sash and Door	3	2431*
Meuret Pump and Plow Works	6	3561
Modoc Leather Manufacturing Co.	5	2386
Pum-Brik Tile	N/A	3271
Sun Ray Plastics, Inc.	1	3079
Tompsett-Hogan Manufacturing Co.	15	3523**
Tote Pak Company	18	3949***
Warm Springs Forest Products	250	2436*
<u>WARM SPRINGS</u>		
Brunoe Logging, Bruce	7	2411*
Smith Logging Company, Russell	25	2411*
Warm Springs Forest Products	380	2421*

SOURCE: Directory of Oregon Manufacturers, 1976, State Department of Economic Development.

- * Lumber and wood products industries.
- ** The manufacturing of agricultural related machinery.
- *** Manufacturers of leisure-oriented products.

Crops Harvested - Acres - 1959, 1965 and 1969
Jefferson County

<u>Crops Harvested</u>	<u>1959</u>	<u>1965</u>	<u>1969</u>
All Corn	262	93	172
Small Grains			
Winter wheat	13,071	17,175	14,637
Spring wheat	7,995	5,218	4,816
Oats	1,355	269	405
Barley	9,561	6,527	4,788
Rye	127	50	245
Hay Crops			
Alfalfa and alfalfa mixtures	11,486	9,694	5,964
Clover and clover/grass mixture	727	715	476
Small grains for hay	1,983	1,639	1,550
Wild hay, cut	2,087	705	---
Other hay, cut	790	679	357
Silage - all kinds	189	1,262	576
Field Seed Crops			
Red clover	---	---	115
Alfalfa hay	---	---	6
Other vetch	5	---	---
Other Field Crops	5,742	7,850	---
Vegetables For Sale	1	105	8,091
Sweet corn	1	63	---
Snap beans	0 /1	20	---
Dry onions	---	---	---
Potatoes	---	---	8,091
Berries for Sale			
Strawberries	0 /1	5	---
Blackberries	---	---	---
Raspberries, red and black	n.a.	0 /1	---
Tree Fruits, Nuts and Grapes	4	0 /1	---
Nursery Products	0 /1	0 /1	---

/1 Reported in small fractions.

n.a.- not available

Source: U.S. Bureau of the Census, Census of Agriculture, 1969, Vol. 1, Area Reports, Part 47, Oregon, U.S. Government Printing Office, Washington, D.C., 1972.

Unrelated Individuals Income by Income Ranges
Jefferson County, 1969

<u>Income Range</u>	<u>Jefferson County</u>
Under \$1,000	75
\$1,000 - 1,999	74
2,000 - 2,999	66
3,000 - 3,999	83
4,000 - 5,999	62
6,000 - 7,999	65
8,000 - 9,999	23
10,000 - 14,999	6
15,000 - 24,999	17
25,000 - 49,999	0
50,000 and over	0
All unrelated individuals	471
Mean unrelated individuals income	3,965
Median unrelated individual income	3,247

Source Bureau of Governmental Research and Service, School of Community Service and Public Affairs, Income and Poverty Data, Cities and Counties of Oregon, 1969, University of Oregon, 1972.

Family Groups, Median Family Income and Family Incomes
Jefferson County, 1970

<u>Family Group</u>	<u>Number of Families</u>	<u>Median Family Income</u>	<u>Income Under \$3,000</u>	
			<u>Number of Families</u>	<u>Percent</u>
Total all families	1,796	\$8,528	203	11.3
Rural families	1,796	8,528	203	11.3
Rural-farm families	374	8,633	53	14.2

Source: Bureau of Census, Census of Population: 1970 General Social and Economic Characteristics, Final Report PC (1) - C39 Oregon, U.S. Government Printing Office, Washington, D.C., 1972.

Median Earnings of Selected Occupation Groups
Jefferson County, 1960 and 1970

<u>Occupation Group</u>	<u>1960</u>	<u>1970</u>
<u>Male</u>		
Total employed 16 years and older	4,341	6,532
Professional, Managerial, and Kindred Workers	\$5,784	\$10,174
Farmers and Farm Managers	4,368	5,594
Craftsmen, Foremen, and Kindred Workers	4,777	7,246
Operatives and Kindred Workers	4,394	7,084
Farm Laborers	2,702	3,467
Laborers, excluding Farm and Mine	4,250	3,955
<u>Female</u>		
Total employed 16 years and older	1,260	2,889
Clerical and Kindred Workers	---	\$4,276
Operatives and Kindred Workers	---	1,773

Source: U.S. Bureau of the Census, Census of Population: 1970 General and Economic Characteristics, Final Report PC (1) - C39, U.S. Government Printing Office, Washington, D.C., 1972.

Major Occupational Group of Employed
Jefferson County, 1970

<u>Occupation</u>	<u>Male</u>	<u>Female</u>
Professional Technician and Kindred Workers	318	160
Managers and Administrator excluding Farm	341	57
Sales Worker	187	112
Clerical and Kindred Worker	375	312
Craftsman, Foremen and Kindred	407	22
Operatives excluding Transport	357	186
Transport Equipment Operatives	164	25
Laborers, excluding Farm	192	24
Farmers and Farm Management	299	18
Farm Laborers and Foremen	250	20
Service Workers	440	271
Private Household Worker	22	22

Source: U.S. Bureau of the Census, Census of Population: 1970 General and Economic Characteristics, Final Report PC (1) - C39 Oregon, U.S. Government Printing Office, Washington, D.C., 1972.

ECONOMIC GROWTH INDICATORS

Tourism

Recreation Facilities

Forest Service Parks
 Youth Camps
 Cove Palisades
 Haystack Campgrounds

Visitors in 1976

318,337
 14,900
 478,114 (day)
 80,324 (overnight)
 42,700

TOTAL Employment

<u>Year</u>	<u>Employment</u>
1956	2,300
1966	3,540
1976	4,130

MANUFACTURING INCOME GROWTH

<u>Year</u>	<u>M.I.G.</u>
1966	\$2,000,000
1976	8,200,000

RETAIL GROWTH

<u>Year</u>	<u>Sales (in thousands)</u>
1958	9,594
1963	16,582
1967	16,611
1974	21,110
1976	28,096

CENTRAL ELECTRIC CO-OP

<u>Year</u>	<u>Customers</u>
1948	172
1977	1280

Most growth has occurred in the past five years due to irrigation pumps.

CASCADE NATURAL GAS

<u>Year</u>	<u>Customers</u>
1962	171
1977	609

DESCHUTES VALLEY WATER

<u>Year</u>	<u>Customers</u>
1948	300
1977	2000

Deschutes Valley Water has water right to Opal Springs water.

MADRAS CITY WATER (supply from two wells)

<u>Year</u>	<u>Customers</u>
1960	528
1977	679

ROWANS TV CABLE

<u>Year</u>	<u>Customers</u>
1977	1442

In the past two years, sewer systems have been installed in Madras, Culver and Metolius.

Other utility companies include PP&L, Pacific NW Bell, United Telephone, and North Unit Irrigation District.

Tourism

Tourism is also an important part of the economy. All travel from Portland to skiing areas around Bend comes through Madras. The area draws traffic on the Dalles-California Highway and, particularly in the late spring, summer, and fall months through the general deer season, there is a continual stream of recreationists coming to the area to utilize recreational facilities at Lake Simtustus behind Pelton Dam, Lake Billy Chinook behind Round Butte Dam, Haystack Reservoir, etc.

The Camp Sherman area, located on the southwest corner of the county at the headwaters of the Metolius River, is a rapidly developing summer home area. The year-round population of the Camp Sherman area is also on a steady rise.

The average daily traffic, (ADT) on Highway 97 is above the safe capacity of the highway, as determined by the Oregon Highway Division. Capacity of the highway is rated at 6400 ADT but during July the count is past 9,000 ADT. Highway 26 traffic during the same period is estimated at 4,200 ADT. These figures emphasize the number of people who pass through Jefferson County annually.

Rockhounding is an important part of the tourist industry in Jefferson County. Hobbyists by the tens of thousands come to the county, beginning with good weather in the spring and continuing until late in the fall, to dig for semi-precious stones, agates, jasper, thundereggs, etc. There are

public "digs" located on public lands, and many ranchers have opened deposits of desirable rock, managing their holdings on a fee basis.

Tourism is one of the most important facets in Oregon's economy, accounting for an estimated \$789,000,000 in spending from out-of-state travelers and recreationists in 1975, according to the Division of Motor Vehicles. During the same period, out-of-state tourist spending in Jefferson County was estimated at \$8,130,000. Total tourist spending was \$20 million.

Recreation

In addition to the usual recreational opportunities offered by the school districts, the area is a bonanza for those who prefer outdoor activities. Hunting, fishing, camping, hiking, boating; all are readily available on the thousands of acres of public land in the county.

Nine Peaks Golf Course at Madras, nine holes, offers public golfing facilities and annual memberships. Kah-Nee-Ta Resort has a championship caliber, 18 hole golf course.

Cultural activities are understandably limited because of the size of the population, but there is an active Community Concert Association, and Central Oregon Community College brings many cultural offerings to the area high schools.

Services available in the City of Madras include banking and savings and loan associations, medical facilities including a new hospital with five physicians in residence, and a weekly newspaper.

For some time, Madras has been trying to attract additional industrial development utilizing the underdeveloped industrial park lying to the north of the existing city. The site contains approximately 300 acres. It lies adjacent to the Madras Airport, U.S. Highway 26, and is served by a spur from the Oregon Trunk Railroad. The major problem with any future expansion of the industrial park is the development of adequate water supply for fire protection. Development of such a system is the number one priority of the Overall Economic Development Plan for Jefferson County adopted in 1977.

In reviewing the existing commercial and industrial land use in the Madras area, there are approximately fifty-three (53) acres within the existing city limits currently zoned for commercial use. The amount of commercial activity would indicate a much larger population than currently exists. It is assumed the regional nature of the City within Jefferson County is the primary reason.

Designation of additional commercial land use areas poses difficult problems due to the linear nature of the existing development. The County and the City must work together closely to insure adequate commercial area is available.

The City would also encourage no further commercial activities be allowed outside the adopted Urban Growth Boundary.

HOUSING

Available information concerning the housing stock of the City of Madras is somewhat limited. Much of the information presented is the result of an intensive study by a private consultant (Pederson & Associates, Inc. of Eugene, Oregon).

Sources of data include 1970 Census statistics, City of Madras Building Permit records, Jefferson County Building Permit records, and Central Oregon Intergovernmental Council studies.

The 1970 Census statistics indicate the total population of the City at 1,689. There were a total of 609 housing units in the City. The following table indicates the housing structure type.

1970 Housing Units by Structure Type

<u>Single-family</u>	<u>Multiple-family</u>	<u>Mobile Homes</u>
412	151	46

Of the total number of units, 346 were owner-occupied, 226 were renter occupied, and 37 were vacant. Since 1970, there have been 60 new family units constructed in the city. The mix of these units was 32 single-family units, 27 multi-family units, and one mobile home.

There have been five demolitions since 1970; therefore, the net gain is 55 for a total of 664.

According to the "Central Oregon Housing Element", prepared by the Central Oregon Intergovernmental Council, "Approximately 18% of Central Oregon's occupied housing stock in 1970 was inadequate for one or more reasons. Stated in another way, one-tenth of the owner-occupied and one-third of the renter-occupied units were inadequate. Clearly one-fifth of Central Oregon's occupied housing stock and one-third of the vacant units in 1970 either were substandard or showed signs of deterioration or delapidation. Many units, both occupied and unoccupied, fell into one or more of these categories. The excessive amounts paid, particularly by low income renters, for housing which was often inadequate and/or substandard and the probability that these conditions have only worsened since 1970, have a direct, though disheartening effect on Central Oregon's current and future housing needs."

The generally poor condition of rental units in Madras is further substantiated by a recent reference study conducted in the City. In the "Survey of Existing Rental Housing" conducted by Pederson & Associates in July of 1976, it was determined that of the 130 units surveyed, 56 would be unacceptable under any reasonable housing code. That is 43% of Madras' multi-family housing units are in very poor condition and probably would be largely vacant should apartments of at least reasonable quality come on the market. Barely

acceptable rental units are renting out at rates just below those of new FmHA financed projects.

The vacancy factor for Madras and Jefferson County is hard to determine with any accuracy. According to Madras' City Recorder, less than 1% of the City's residential water meters are currently turned off. A representative of Pacific Power and Light confirmed this lower than 1% figure based on utility records, but stressed that (1) many units, such as those found in Madras Hotel, have utilities supplied centrally, and (2) that turnover for several Madras apartment buildings is extremely high, so that an exact count at any given time would be difficult. A look at the July 1 issue of the Madras Pioneer revealed 8 rentals advertised as available that week.

In the Pederson & Associates "Survey of Existing Rental Housing" in Madras, the vacancy analysis according to the quality of the rental units was broken down as follows:

	<u>Fair to Good</u>	<u>Poor to Very Poor</u>
No. of Units Surveyed	53	71
No. of Vacancies Recorded	0	6
Vacancy Rate	0%	8%
Average Monthly Rent	\$144	\$110

The 1970 Census reported a 5.1% overall vacancy rate for Jefferson County (0.87 for owner-occupied units, and 13.48 for rental units), and one of 4.8% for the City of Madras.

More recent information (based on a 1976 COIC survey), reported

a 4.6% overall vacancy factor for the City of Madras. Again, it is important to note that these vacancies were largely accounted for by vacancies among low quality/high rent dwelling units. Virtually all housing units that would stand up to a housing code inspection are occupied.

Existing Land Use

The existing city limits contain approximately 750 acres of land. There are at present six zoning classifications: two residential, two commercial, and two industrial. The City maintains an existing land use map which is color coded as each new building permit is issued. An analysis of that map indicated approximately 480 vacant building lots in the city and approximately 140 acres of unplatted land. Over half of these vacant lots are considered unbuildable due to flood plain problems. Further, most of these vacant lots are simply not for sale and are being utilized for other purposes, such as gardening. Of the 140 acres, only 40 acres is suitable for further development. An existing land use map is not presented due to the scale of the test maps. The up-to-date map in the City Recorder's office is available for review.

Population

The population of Madras has grown steadily over the years. The following table shows the historical trend:

<u>Year</u>	<u>Population</u>
1940	412
1950	1,258
1960	1,515
1970	1,689
1974	1,945
1975	1,970
1976	2,055
1977	2,260

The City grew rapidly from 1940 to 1950 as a result of the North Unit Irrigation District construction project which provided irrigation water for agricultural lands surrounding Madras.

Population Projections

Population projections for the City of Madras are not readily available; however, the City has historically maintained an approximate 20 percent of the total county population. The Portland State University Center for Population Research and Census projects the population of Jefferson County to reach 16,100 by the year 2000. This figure is one of three provided by Portland State and is considered to be a high range estimate. Medium and low ranges are 14,100 and 12,800 respectively. For the City of Madras, this would result in high to low range population projections by the year 2000 as follows:

<u>High</u>	<u>Medium</u>	<u>Low</u>
3,200	2,820	2,560

These population projections appear to be quite conservative and in the case of the lowest estimate, unrealistic. The 1977 certified population is 2,260. It would be unreasonable to only anticipate a population increase of 300 over the next

two decades. The estimated population of the surrounding area adjacent to the City is approximately 2,000. This area in all probability will require sanitary sewer service within the next twenty years, and City policy requires annexation for this service. This population, together with the existing City gives an area population of over 4,000. The present public facilities available will serve a population of over 5,000. At an estimated growth rate of even one (1) percent a year, the total which may be anticipated is approximately 5,600. The growth rate must be closely monitored to maintain adequate public facilities to serve the area.

PUBLIC FACILITIES

The City of Madras provides basic public services to its residents. The City maintains a permanent staff of 21. This includes four (4) full time police, seven (7) public works employees, four (4) administrative personnel and six (6) part-time personnel. The volunteer fire department has 16 members, and the City maintains a six (6) fire rating for fire insurance cost determination.

Water System. The City's source of supply consists of three wells, supplemented during the summer months by water obtained from North Unit Irrigation District. Wells No. 1 and No. 2 are located north of the City and are approximately 250 feet apart. Well No. 1 is in the process of being re-drilled adjacent to the existing well house. The existing

Well No. 1 was drilled in 1912; static water level in the well is 330 feet below the surface and drawdown is to approximately 380 feet when pumping at a rate of 150 gpm. Well No. 2 was drilled in 1966 to a depth of 450 feet, produces 400 gpm, is 16" and 12" diameter cased throughout with perforated casing in the bottom section. The static water level is 330 feet and a 40 foot drawdown. Both wells discharge through a 6" diameter steel pipe to a sandtrap. From the sandtrap the well water is discharged through a 5" diameter pipe directly into an 8" diameter steel transmission pipe main line and hence into the City. A third well to augment the City's supply is located near the City shops. It was drilled in 1972 to a depth of 477 feet, produces 300 gpm, is 16" and 12" steel casing with perforated casing in the bottom section. The water is discharged directly into the City distribution system.

The water obtained from the North Unit Irrigation District's main canal flows by gravity from the irrigation ditch to the City's treatment plant. Both post-chlorination and prechlorination facilities capable of treating 500 gpm are available. This plant is located west of the City and was constructed in 1955. North Unit Irrigation District water is available only during the irrigation season. The treatment plant capacity is 0.80 M gpd. Water flows by gravity to a wash water reservoir and hence into the City's water distribution system.

Storage capacity consists of an existing 1.0 mg steel reservoir constructed in 1950. The reservoir can also be filled by use of a 6" tie-in line from the D.V.W.D. pipeline situated 300 feet northwest of the reservoir. The interior of the reservoir received an application of coal tar enamel in 1959 and is in good condition; however, the exterior does require painting.

The existing distribution system was initially installed approximately 50 years ago. Since the original construction, all pipe has been replaced at various intervals. The City provides extensions, corrects deficiencies, and provides maintenance when required. The existing system is made up of approximately 10,700 feet of 10" pipe; 7,500 feet of 8" pipe; 19,050 feet of 6" pipe; 20,400 feet of 4" pipe; and a small amount of 2" and 1" pipe. City policy now requires developers to provide water distribution systems to new subdivisions at the developers' cost. Once installed and approved, the City will take over operation and maintenance.

Sewer System. The City's wastewater collection and treatment system was completed in 1975. It consists of 3,400 lineal feet of 10 to 18 inch diameter interceptor sewer and 60,300 lineal feet of 8 inch diameter lateral sewer. The pipe used in the system is asbestos cement with rubber ring joints.

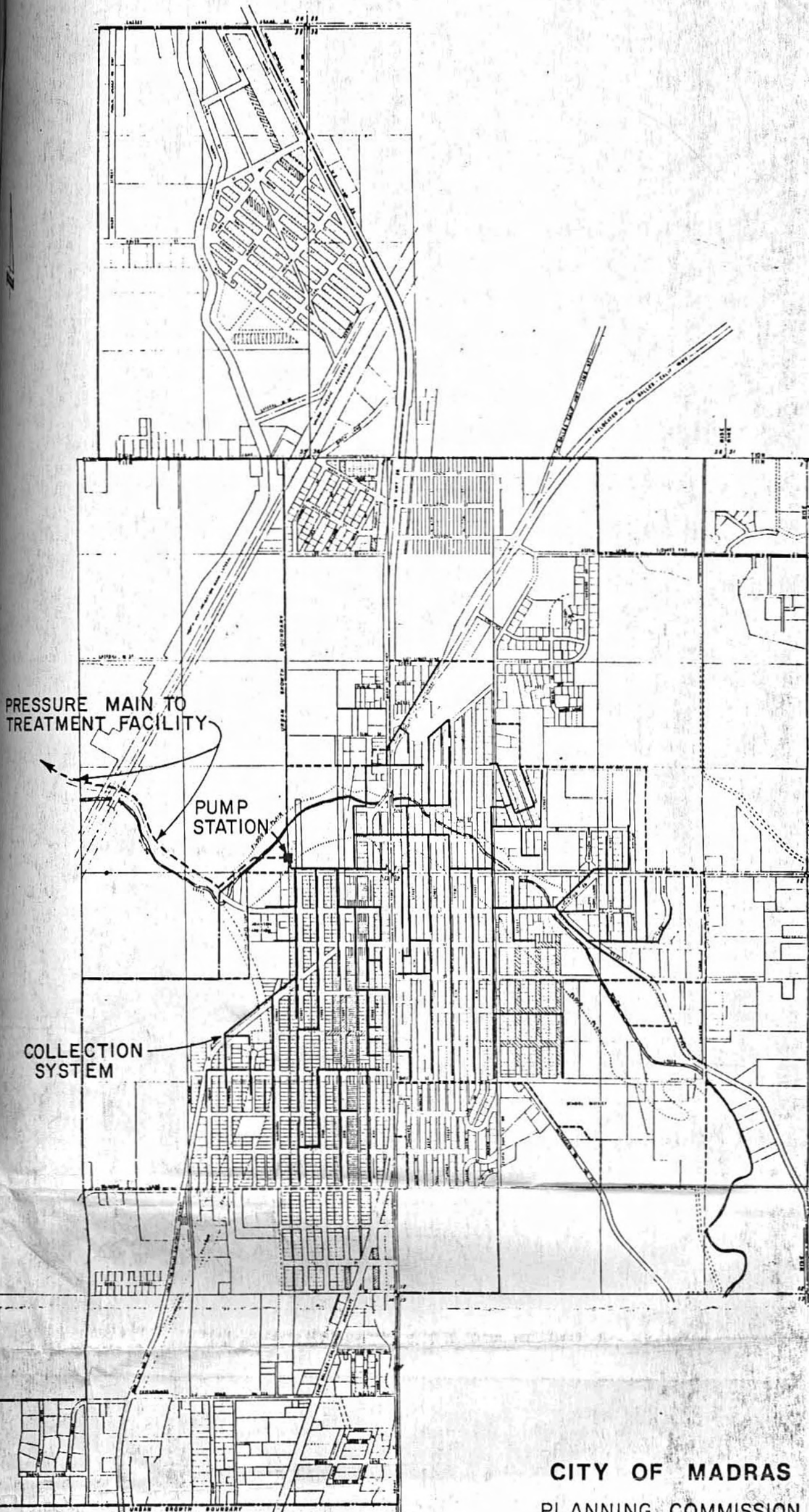
The existing pump station receives flow from the sewage collection system. The flow is pumped 200 feet up through three (3) miles of 10 inch diameter pressure line to the treatment plant located at the City/County airport.

The pump station was designed to initially pump 440 gallons per minute (gpm). With minor modifications, including replacing motors, impellers and motor starters and adding additional surge protection, the pumping capacity can be doubled to 880 gpm. With continued development, the pump station can be ultimately expanded to pump 1500 gpm. At the ultimate expansion, a parallel pressure line would be added.

The Madras treatment facility is a 5-cell stabilization pond system with pond effluent disposed of by spray irrigation. The plant was designed for an average daily flow of 450,000 gallons per day (gpd), and since the plant has been in full operation it has averaged about 165,000 gpd. There are no combined sewers or overflows in the City collection system, and a review of the daily flows indicates no detectable infiltration/inflow as can be expected due to the new system.

Septage facility is located at the Madras treatment plant to aerate septic tank pumpings and to make them compatible with the waste in the ponds. The septage facility has the capacity to accept 1600 gallons per day.

Solid waste disposal is provided by private contractor who hauls the waste material to the County operated Box Canyon Disposal Site.



CITY OF MADRAS
PLANNING COMMISSION
COMPREHENSIVE PLAN
SEWERAGE FACILITIES

Schools. Madras is a part of Jefferson County School District 509-J. There are four schools in Madras. These are Madras Elementary (grades K-4), Buff Elementary (grades 5-6), Madras Junior High (grades 7-8), and Madras High (grades 9-12). Enrollment figures are as follows:

<u>School</u>	<u>1966-67</u>	<u>1977-78</u>
Kindergarten	--	91
Madras Elementary	480	437
Buff Elementary	229	235
Madras Junior High	362	405
Madras High	604	592

In October, 1977, a Citizens Advisory Committee (509-J) concluded their study with a written report to the school board. Their general comments concluded that all buildings in 509-J District can be serviceable for many years. This committee observation has been collaborated by the district architect. There was no observed crowding in terms of numbers of students per classroom. There is a problem in providing rooms for some classes and programs because of the number of classes offered. If the district enrollment continues to grow, it is likely that within a few years, new construction may be necessary. The committee endorsed the neighborhood school concept of maintaining elementary schools in Simnasho, Metolius, Madras, and Warm Springs.

Hospitals, Medical, Health, Mental Health. Mountain View Hospital, a tax-supported institution, has 70 licensed beds, 32 acute care and two intensive care and a 36 bed nursing

home. Rates are comparable with other hospitals of similar size and considerably lower than St. Charles Medical Center in Bend. Patient care is rated high and the hospital is fully accredited.

An expansion of the nursing home wing is now completed.

There are five physicians, all engaged in general family practice, with four joined in a clinic operation. Needed specialist care is furnished to the entire Central Oregon area by specialists located in Bend at the St. Charles Medical Center.

The community is also served by five dentists and two optometrists. Jefferson County operates public health programs and mental health programs through the County Health Department and Mental Health Department. Both are comprehensive, well-planned and operated programs.

Churches, Lodges, Farm Organizations. Churches located and holding services in Madras are the Christian, Baptist, Methodist, Episcopal, Church of Christ, Assembly of God, Lutheran, Catholic, Seventh Day Adventist, and others.

There are Masonic, Elk, Odd Fellow, Eastern Star, and Rebekah lodges in Madras. There are American Legion and Veterans of Foreign Wars posts in Madras.

Jefferson County boasts three active granges and a county farm bureau. In addition to the Madras-Jefferson County Chamber of Commerce, the Kiwanis Club, the Lions Club, and the Jefferson County Rod and Gun Club.

TRANSPORTATION

Regional Setting. The City of Madras lies in the approximate geographic center of Jefferson County. The City is served by several modes of transportation, including private auto, motor freight, rail, air, and commercial bus service. The City lies on the major north/south transportation corridor through Central Oregon.

Highways. Two major federal highway routes form the framework of Madras' thoroughfare system. Highways U.S. 97 and 26 join at Madras and traverse through the heart of the County in a broad X-shaped pattern.

U.S. 26, locally known as the Warm Springs and Madras-Prineville highways, is the main east-west highway serving Jefferson County. Most regional traffic in Jefferson County is routed into and through the City of Madras on highways U.S. 97 and 26. In 1966, the Oregon State Highway Department introduced a one-way couplet in Madras (northbound on Fifth Street and southbound on Fourth Street).

Traffic on U.S. 97 north of Madras ranges from 1,100 vehicles per day at the Jefferson-Wasco County line to 8,800 vehicles at its junction with the Culver Highway in Madras. The

traffic on U.S. 97 is heavier south of Madras, however, ranging from 6,600 vehicles per day at the south city limits of Madras to 3,000 vehicles per day at the Jefferson-Deschutes County line.

Other relatively high traffic counts were reported by the highway department on the Warm Springs and Madras-Prineville sections of U.S. 26. Average daily traffic on the Warm Springs Highway ranged between 1,700 vehicles per day at the Jefferson-Wasco County line, 2,900 vehicles at Warm Springs, and 5,300 vehicles at its junction with U.S. 97 north of Madras. The Madras-Prineville highway carried an average of about 650 vehicles per day over most of its length, although the count at its junction with U.S. 97 south of Madras amounted to 810 vehicles.

The other major federal-aid secondary highway, Culver highway, was reported to have carried about 2,150 vehicles per day in Madras.

Railroads. The Oregon Trunk Railroad, utilized by Burlington-Northern and Union Pacific Railroad Companies, provides daily freight service to Madras. A spur line of the Oregon Trunk line serves the Madras Industrial Park. The more frequent operation of trains in Jefferson County occurs within the Madras area. The Madras railroad station is the main depot and industrial switching yard in the County. The railroads now offer freight service only; passenger service was discontinued in the early 1970's.

Three groups of commodities dominate rail cargo movements through Jefferson County. They include commodities of agriculture (potatoes, wheat, and barley), forest commodities (plywood, lumber and studs), and energy sources (petroleum, fuel oil and petroleum derivatives). Agricultural and forest commodities are chiefly outbound while energy sources are all inbound. Other major cargo movements include inbound farm machinery, commercial fertilizers, and feed.

Much of the rail traffic in the county is highly seasonal in nature. There is virtually no movement of potatoes from the first of June until late September. Commercial fertilizer is shipped into the County during the spring and fall months only.

Although rail freight moves in all directions from Madras shipping points, the greater share is destined for points east. It is estimated that about 90 percent of the plywood and lumber traffic is eastbound, and the Union Pacific carried nearly 98 percent of its potato shipments to eastern points. Conversely, the Burlington-Northern ships about 75 percent of its potatoes to California and the remainder to transcontinental points. Almost all of the Jefferson County grains (wheat and barley) are shipped to the Ports of Portland and Vancouver for export. Approximate rail freight transit times from Madras to selected cities are shown in the following tabulation:

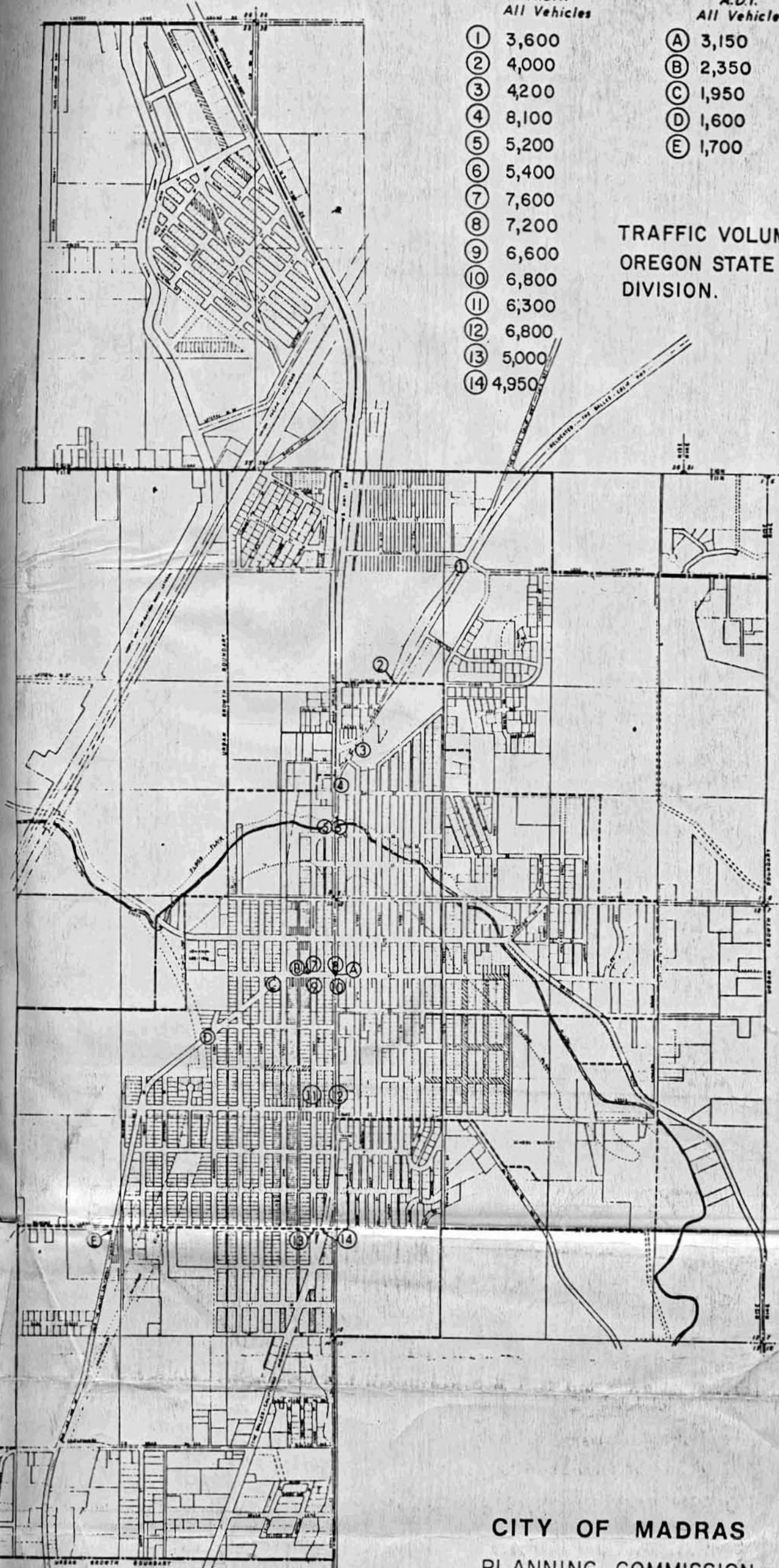
1976
A.D.T.
All Vehicles

1976
A.D.T.
All Vehicles

- ① 3,600
- ② 4,000
- ③ 4,200
- ④ 8,100
- ⑤ 5,200
- ⑥ 5,400
- ⑦ 7,600
- ⑧ 7,200
- ⑨ 6,600
- ⑩ 6,800
- ⑪ 6,300
- ⑫ 6,800
- ⑬ 5,000
- ⑭ 4,950

- Ⓐ 3,150
- Ⓑ 2,350
- Ⓒ 1,950
- Ⓓ 1,600
- Ⓔ 1,700

TRAFFIC VOLUMES - 1976
OREGON STATE HIGHWAY
DIVISION.



CITY OF MADRAS
PLANNING COMMISSION
COMPREHENSIVE PLAN
TRAFFIC VOLUMES

From Madras to:	Portland	2nd morning delivery
	San Francisco	3rd morning delivery
	Seattle	3rd morning delivery
	Kansas City	4th morning delivery
	Los Angeles	5th morning delivery
	Chicago	5th morning delivery

Air Transportation. The major air transportation facility in Jefferson County is the Madras City-County airport, located in the Madras Industrial Area about three miles northwest of the city center. This field was first used by the U.S. Army during World War II as a training center for the B-17. The airport has four surfaced runways: Two 8,000 foot runways, one 10,000 foot runway, and a 3,800 foot lighted runway. In addition, there are hangar and tie-down facilities for storage of light planes and a shop hanger for major aircraft repairs.

At the present time, Oregon Air Service (a commercial carrier) provides scheduled passenger service daily at the Madras City/County airport. The airline provides direct connections with Eugene. A fixed base operator at the field offers charter flight service for air express, freight, and passenger transportation. Air service for light private planes, flight instruction, crop dusting, fertilizing, fire fighting, and aircraft maintenance are also provided at this facility.

Bus Service. Madras is the only City in the County with scheduled bus service. An agency station of Pacific

Trailways Bus System operates in a cafe depot at the corner of Sixth and "D" Streets. From this station, Trailways buses make a total of ten departures daily -- four each to Portland and Bend, and two to The Dalles. In addition to regular passenger and charter services, Pacific Trailways also offers shipment of express freight from its station in Madras. The approximate bus transit times from Madras to selected centers is shown in the following tabulation:

From Madras to:	Bend	1 hour
	Portland	2 hours, 55 minutes
	The Dalles	2 hours, 15 minutes
	Klamath Falls	4 hours, 10 minutes
	Salt Lake City	17 hours, 30 minutes

Motor Freight. Trans-western Express, Cascade Transport, and Madras Freight Lines are the three main common carriers with office in Jefferson County.

The Trans-western terminal is located on the Warm Springs Highway about one and one-half miles north of Madras. This firm maintains regular truck service from Madras to Portland and from Madras to Bend and points south. Trans-western is also the local agent for the Mayflower Moving and Storage Company.

Cascade Transport, whose main offices are in Bend, maintains a branch office and terminal in Madras. Cascade Transport is authorized as an unscheduled intra-state carrier.

The Madras Freight Lines terminal is located on The Dalles-California highway one mile south of the Madras city limits. This carrier specializes in hauling livestock, feed, fertilizer, and building materials, and is generally considered to be one of the largest motor freight concerns of its kind in the Pacific Northwest. It is authorized as an interstate and intra-state irregular common carrier, operating to or from points in Eastern Oregon to or from points in Oregon, California, Washington, Idaho, and Nevada. Its authority to and from Nevada points is limited to the transport of livestock. Madras Freight Lines is also authorized to carry general freight within, to, and from Jefferson-Crook-Deschutes County area although, this authority is seldom utilized.

Approximate motor freight transit lines from Madras and other Central Oregon shipping points to selected areas are as follows:

From Madras to:	Portland metropolitan area	1st morning
	Seattle-Tacoma	2nd morning
	San Francisco Bay area	2nd morning
	Southern California	3rd morning
	Lake states	8th morning
	East Coast	11th morning

Local Transportation. The City of Madras is developed in a grid pattern with the streets lying in almost true north-south, east-west directions. Street rights-of-way vary from 80 feet to 60 feet, and improved residential street widths are quite wide with some up to 54 feet curb-to-curb. Present city standards require new streets to have 60 feet of dedicated right-of-way with 44 feet of improved surface.

Improvement standards are Oregon State Highway Department standards for an O-9 oil mat. Sidewalks are not now required in new subdivisions but are available in most residential areas of the City through the formation of local improvement districts at property owner requests.

There is a taxi service available in the City; however, most intra-city transportation is via private automobile. The oneway north-south couplet, established in 1966, has relieved severe congestion problems in the core area of the City. The Central Oregon Council on Aging has established a Dial-a-Ride service for senior citizens.

There are several corrective measures which the City will undertake to improve the traffic circulation in the area.

These include:

- A. Construction of a bridge over Willow Creek to complete 10th Street. This will provide better access to and from a growing residential area to the north of the City.
- B. The intersection of northbound U.S. 97 and Adams Drive needs to be improved. The present "Y" situation creates a serious traffic hazard and can be easily corrected by turning Adams Drive sharply to a 90^o intersection.

- C. Buff Street needs to be extended to Grizzly Road to provide better east-west circulation.
- D. Although the following needs are out of the City's jurisdiction, the City urges and fully supports:
 - 1. The placement of additional directional signs in the northbound lanes of 5th Street to announce the junction of highways U.S. 26 and 97.
 - 2. The short "U" turn at the south end of the one-way couplet is too short and creates a traffic hazard. The construction of a traffic island and slight relocation to the north of the east-west lanes would greatly enhance the situation.
 - 3. The addition of a stoplight on one intersection of both north and south bounds lanes of the one-way couplet would be of tremendous benefit by slowing through traffic and easing east-west traffic movement. A suggested location to be considered is 5th and "D" Streets and 4th and "D" Streets. This should be done when traffic volumes reach sufficient numbers to meet state standards for traffic light installation.

During the formulation of this plan, serious consideration was given to the establishment of a highway bypass around the city. It is the City's official position to oppose any relocation of the existing highway through the City at the present time.

ENERGY

There are no energy resources within the planning area. Electrical power is provided by Pacific Power & Light Company. Power is generated at Round Butte and Pelton Dams. Energy conservation can be accomplished in a variety of ways. Other elements of this plan indicate several methods by which the City is responding to the need to conserve energy. Some of these methods include the establishment of an Urban Growth Boundary to prevent urban sprawl and the inherent waste on energy resources associated with sprawl. Strict adherence to the Uniform Building Code to maintain proper insulation of homes is also effective in the conservation of energy. The use of vacant lots within the existing city limits prior to developing raw land will also save energy by reducing costs of constructing and maintaining additional public services.

The development of alternative energy sources, such as solar energy will be supported by the City. Further, the City supports the development of a waste recycling center within the planning area.

URBANIZATION

The City, in cooperation with Jefferson County, shall establish an Urban Growth Boundary.

The purpose of the Urban Growth Boundary is to separate urbanizable land from rural agricultural land. Urban lands are defined as those lands within the Urban Growth Boundary which (1) are determined to be necessary and suitable for future urban areas; (2) can be served by urban services and facilities; and (3) are needed for the expansion of an urban area.

Agricultural lands are defined as those lands having soil types in Class I through VI in Eastern Oregon as classified by the Soil Capability Classification System of the United States Soil Conservation Service.

At the outset of the planning process, both the City and the County Planning Commissions began determinations for the establishment of an Interim Urban Growth Boundary. It became apparent after a series of public meetings that the concept of an Urban Growth Boundary would be difficult for the residents of the area to accept. In reviewing the existing situation, it was noted the County zoned a large area around the City of Madras to A-3 "Limited Agriculture" in 1973. This was done with the assistance of an Area Advisory Committee and has been in effect for approximately five years. At each public meeting the subject of the Urban Growth Boundary was discussed, and the members of the public audience pointed to the 1973 "A-3" zoning and insisted this constituted an Urban Growth Boundary. Because of the large public sentiment regarding the Urban Growth Boundary, the process to establish

it has been a long and difficult task. What follows is a discussion and analysis of the present County zoning and the established Urban Growth Boundary.

Jefferson County "A-3" Zoning Area

The limited agricultural "A-3" area contains 8,524 acres; that area includes the existing city limits of Madras which contains some 750 acres, and the proposed Urban Growth Boundary area which contains an additional 1,400 acres, leaving a total of 6,474 acres presently zoned "A-3", Limited Agriculture. This area was considered by many residents to be urbanizable without the provision of sanitary sewer service. An analysis of the 6,474 acres was conducted and the following findings were determined.

- A. The entire area is served by the Deschutes Valley Water, a public water district which is both federally and state approved, with the capabilities of providing adequate domestic water for intensive development throughout the entire area.
- B. There are several existing subdivisions within the area as well as dozens of individual home sites. A survey of existing land use indicated approximately 150 homes within this area.
- C. The North Unit Irrigation District maps indicate that of the 6,474 acres, approximately 3,300 have the right to receive irrigation water for agricultural

- purposes. However, not all of these lands are currently being utilized for agricultural production.
- D. The soils maps of the County indicate suitable soils for agricultural production to the east of the A-3 designated area. However, these areas need water to be utilized for agricultural purposes.
 - E. The North Unit Irrigation District would be able to transfer water rights to land lying to the east. However, a new distribution system would be required.
 - F. Non-buildable lands were inventoried, and it was found that approximately 1,500 acres were considered non-buildable due to established flood plains, steep slopes, and road and irrigation rights-of-way.
 - G. It is considered improbable that sanitary sewer service would ever be extended to this area by the City of Madras.
 - H. Jefferson County Court has indicated that it will not allow residential development on irrigated agricultural lands within this area.

Based on the above findings, it was decided by the Planning Commission and governing bodies of the two jurisdictions involved to develop an Urban Growth Boundary inside the boundary established by the A-3 agricultural zoning in 1973. This decision was made after several public hearings at which heated debate took place. A proposal to include all the A-3

area in the Urban Growth Boundary was submitted to the LCDC field representatives for review. The field representative determined that the proposal would not meet the statewide planning goals. Therefore, over the strenuous objections of the members of the Area Advisory Committee, the governing bodies' decision was that the inclusion of the entire A-3 "Limited Agricultural" area would not meet the statewide planning goal for urbanization and would not meet the statewide planning goals for agricultural lands. Therefore, the smaller Urban Growth Boundary as described below was established.

Urban Growth Boundary Description

The Urban Growth Boundary as indicated on the Comprehensive Plan Map contains an area of approximately 1,400 acres outside the existing city limits of Madras. This boundary was determined after review of existing land use, growth projections, and potential development sites. The area contains a majority of the existing developed areas presently utilizing septic tanks around the City of Madras. The Urban Growth Area is a modified area of the boundary proposed in the facilities plan developed for the City by CH₂M/Hill in 1976. The outlying areas within the Urban Growth Boundary have been noted by the Oregon State Department of Environmental Quality as having unsuitable soils for septic tank and drywell utilization, and existing sites have been put on notice by the Department to phase out the use of drywells by 1980.

This Comprehensive Plan was drafted in its final format in July, 1978. Recent developments in the Land Conservation and Development Commission policy require additional criteria be added to the Plan to meet state requirements. These new requirements were brought forward at the LCDC June, 1979 meeting. A new housing handbook has been made available to the jurisdictions as of June, 1979. The following discussion was prepared subsequent to that date. Some of the data assembled may be better placed in the Housing Element of the Inventories, but as this plan has been retyped a total of four times to date, the additional cost of another complete revamping of the Plan is considered unreasonable by the City. For this reason the following tables and accompanying discussion are provided at this point in the Plan.

Buildable Lands Inventory. The following table indicates the buildable lands inventory for the City of Madras as now required.

Buildable Lands Inventory

<u>Land Use Classification</u>	<u>Gross Acres</u>	<u>Developed</u>	<u>Buildable</u>
R-1	263.20	195.04	68.16
R-2	101.04	48.62	52.42
C-1	126.16	67.16	59.00
O/S	87.03	87.03	0.00
M-1	30.83	17.53	13.30
Flood Plain	141.72	43.50	0.00
TOTALS	749.98	458.88	192.88

Some discussion as to the criteria utilized to develop this table must be provided. The existing land use map is maintained

by the City Recorder in City Hall and was utilized to tabulate both the developed and undeveloped lands.

Some specific comments to information contained in the Housing Element as written in 1978 must be added. The Housing Element indicates approximately 480 vacant lots in the City. Upon analysis it is noted that over 50% of them are located within the designated flood plain of the City and are not considered readily buildable. However it is noted, the majority of the remainder are located in the now designated R-2 area with the rest evenly distributed between the R-1 and C-1 land use categories. Of the 140 non-platted acres lying within the City limits, 60 are currently committed to commercial or industrial development. The remaining 80 acres lie in the southwest corner of the City; only the southern 40 acres considered buildable--the northern 40 acres are considered to have extreme topography problems with slope and are not considered readily buildable by the City.

The existing ratio of public facilities to residential acreage in the City of Madras is 24%. This is derived by dividing the total acreage of public facilities (87.03) by gross residential area (364.24) to yield 24%. This figure will be applied in a later portion of this analysis.

Based upon the above analysis, there are 120.58 acres gross residential buildable lands available within the City of Madras. Testimony

received at numerous public meetings and hearings has indicated a non-availability in terms of economics of these lands.

Urban Growth Boundary. A specific analysis of the Urban Growth Boundary in terms of gross acreage is shown below.

<u>Land Use Category</u>	<u>Gross Acreage</u>
R-1	905.16
C-1	128.60
Flood Plain	13.13
O/S	46.65
M-2	302.30
TOTAL	1,395.84

These figures were derived by physically scaling (with an engineer's scale) each tract of ground within the Urban Growth Boundary from a 1" = 400' map of the area. An analysis of the developed and buildable lands was conducted. The following information is provided to constitute a buildable lands inventory for the Urban Growth Boundary.

Buildable Lands Inventory

<u>Land Use Classification</u>	<u>Gross Acres</u>	<u>Developed</u>	<u>Buildable</u>
R-1	905.16	682.00	223.16
C-1	128.60	88.28	40.32
Flood Plain	13.13	0.00	0.00
O/S	46.65	46.65	0.00
M-2	302.30	120.92	181.38
TOTAL	1,395.84	937.85	444.86

It should be noted the R-1 developed lands data was derived by calculation of those lands committed to residential use within the Urban Growth Boundary. This includes platted subdivisions and metes and bounds lots of less than 10 acres. Thus the two buildable lands inventories indicate a total of 223.16 acres in the Urban Growth Boundary and 120.58 acres within the

city limits, to total 343.74 acres of buildable land within the planning area. The 24% public facilities factor is now applied to estimate the net residential buildable land within the planning area at 261.24 acres ($343.74 \times 24\% = 261.24$).

The question of how much land will be needed within the planning area for residential use must be addressed. The plan as written in 1978 projects an annual 1% growth ratio to yield an additional 1,600 persons by the year 2000 within the planning area. And again, it must be noted, that there are an estimated 2,000 residents living within the existing Urban Growth Boundary as designated at the present time, bringing the population of the area to an estimated 4,260. By utilizing the current gross density of the City, 3.01 persons per acre (this is determined by dividing the current city population, 2,260, by the gross acreage of the city, 750, equals 3.01 persons per acre), a total area required utilizing the current density standards of the City, can be determined. This is done by dividing the projected population, 5600, by 3.01 to yield a total of 1,860.47 acres which would be required to maintain the current density. The total gross acreage of the Urban Growth Boundary in the city combined is 2,146.82 acres. This includes the 302.3 acre industrial tract. By excluding the industrial tract which is not included in the City's current density factor, the needed acreage using this methodology and the designated acreage are almost identical, 1844.52 designated, versus 1860.47 needed.

As a second check a comparison was made between the total net buildable lands available, 261.24 acres, against the existing gross residential density of the City. The gross residential density of the City was determined by dividing the population of the City, 2,260 by the total gross residential acres, 364.24, to yield a residential density figure of 6.2 persons per residential acre. Multiplying this figure, 6.2 times 261.24 acres yields a total additional population of 1,619.7 persons.

The above two tests may be considered simplistic in approach, but this does provide a simple common sense approach to determine the number of acres required and provided within the Urban Growth Boundary.

A third test of the Urban Growth Boundary area as designated was conducted. This was to compare the projected population increase over the next 20 years against the number of buildable acres within the Urban Growth Boundary. This test, estimating 1,600 additional population, dividing by 3 persons per household to establish the number of households, yields 533.3 households to be expected. Estimating 3 dwelling units per acre and dividing that figure into the number of households would indicate a total required acreage of 177.78. This is approximately 83 acres less than provided in the Urban Growth Boundary. However, LCDC policy changes have made it clear that a city estimating a growth ratio may not be acceptable. It is now understood the County must address the overall population growth of its jurisdiction and

then distribute the population increases equally among the incorporated cities within its jurisdiction. At the present time, the City of Madras and the surrounding area encompassed by the Urban Growth Boundary contains 42.6% of the population of Jefferson County. This figure is derived through a variety of sources, including a CH₂M Hill Facilities Plan prepared in 1976. Based on current Portland State University populations for the county, there are three ranges available for the county by the year 2000.

Population Projection by the Year 2000

<u>Low</u>	<u>Medium</u>	<u>High</u>
12,800	14,100	16,100

Based upon these projections, the City could expect an anticipated population increase of 1,192 on the low estimate, 1,746 on the medium estimate, 2,598 on the high estimate. The low estimate which was discussed in the Housing Element, is considered unrealistic in terms of the present situation of the City. However, using the methodology in the third test outlined above, the following factors become apparent. The medium growth ratio will require a total of 194 acres for residential use, the high estimate will require a total of 288.6 acres for residential use. As it is extremely difficult to predict changing conditions during the next twenty years, the City of Madras and Jefferson County have both agreed that the Urban Growth Boundary as designated is justified, warranted, and the smallest boundary the residents of the area will accept. The Urban Growth Boundary, as designated, will require a total of 6,474 acres presently zoned A-3, to be down zoned significantly.

General Discussion

The intent of the Comprehensive Plan is to provide an Urban Growth Boundary that will indicate the logical and probable areas in which the City of Madras can anticipate providing sewer service within the next twenty years. The establishment of this boundary does not mean the City will immediately annex or begin construction of sanitary sewer lines to the area. Service will be based on need of the residents of the outlying areas for this service and will be provided at their request.

The intent of the Comprehensive Plan for the area outside the Urban Growth area is to allow continued large lot development in specific areas in which no sanitary sewer service is anticipated. This development has been ongoing and formally sanctioned by the County in 1973.

Factors Considered in Establishing Urban Growth Boundary

A. Demonstrated Need to Accommodate Long-range Urban Population Growth Requirements Consistent with LCDC Goals.

FINDING: Testimony received at various public hearings indicated a general unavailability of buildable lands due to natural hazards and economics within the existing City of Madras. Based upon the existing population of the planning area, 4,260, and the projected population ranges from 5,442 to 6,858, it was determined an additional 261.24 of net residential

acres would be required for urbanization as population increases continue. The need for the Urban Growth Boundary is further demonstrated by the existing development within the Urban Growth Boundary to be provided with sanitary sewer service. This has been documented by the State Department of Environmental Quality.

B. Need for Housing, Employment Opportunities, and Livability.

FINDING: That additional lands outside the city limits would be required to provide adequate housing lifestyles for the community. A low vacancy rate within the existing city and surrounding area has been documented. The additional lands provided in the Urban Growth Boundary will continue to provide the high level of livability that the Madras area enjoys.

C. Orderly and Economic Provision for Public Facilities and Services.

FINDING: The Urban Growth Boundary, as established, is located in areas to the north, south, and the east of the existing city limits. The area to the west of the existing city limits is not considered developable due to topography problems, proximity to the railroad tracks and on the plateau, extensive agricultural usage. Area to the north of the city contains the 302 acre industrial tract, the Madras Industrial Park, a 56 acre golf course, and approximately 100 acres of platted subdivisions. The Urban Growth Boundary contains 1,395.84 gross acres. Of that total at the present time, 1,159.55 acres are committed to residential, commercial, or

industrial uses. The Urban Growth Boundary contains in the developed area outside the current city limits of Madras an existing population of 2,000, 75% of which are utilizing dry wells. The Department of Environmental Quality is on record as requiring elimination of these by 1980.

D. Maximum Efficiency of Land Uses within and on the Fringe of Existing Urban Area.

FINDING: The Plan will provide urban densities within the Urban Growth Boundary. The requirement of annexation to the City for receiving sanitary sewer service will provide for efficient lot size configuration in proposed subdivisions.

E. Environmental, Energy, Economic, and Social Consequences.

FINDING: The Urban Growth Boundary, as established on the three sides of the City, provides for a logical extension of urban services to the area. The Urban Growth Boundary provides gravity flow situation for sanitary sewer service to the main pumpstation located within the City. By providing the requirement for annexation, growth will occur from the the city limits outward to conserve energy and other economic costs. It is further noted that the Urban Growth Boundary as established will not upset the existing market place for land values within the planning area. The Urban Growth Boundary will require substantial down zoning of over 6,000 acres of formerly available land surrounding the City. The Urban Growth Boundary as established, is the smallest boundary line acceptable to the residents of the City of Madras and surrounding Jefferson County.

F. Retention of Agricultural Land as Defined, with Class I being the Highest Priority for Retention and Class VI the Lowest.

FINDING: The Urban Growth Bondary as established, contains approximately 100 acres of presently irrigated land under agricultural production. The land lies between the existing development within the Urban Growth Boundary and the existing city limits. The existing development will require sanitary sewer service within the future. Sewer lines will be projected through the farm land to serve these areas. The inclusion of these agricultural lands is the only logical course of action available. The land is needed for future residential use.

G. Compatibility with Proposed Urban Uses and Nearby Agricultural Activities.

FINDING: The Urban Growth Boundary as established, will minimize conflict between urban and agricultural land use. Present conflicts currently existing through the use of the A-3 zoning will be eliminated through the establishment of the Urban Growth Boundary. In a subsequent action by Jefferson County in down zoning the 6,000 acres surrounding farm land the Urban Growth Boundary will serve to lessen development pressure on agricultural lands outside the Urban Growth Boundary.

Factors to be Considered for Development within the Urban Growth Boundary.

The Urban Growth Boundary was established after a series of public meetings in which the general public voiced strong

opposition to any attempt at down zoning or restricting future development of the A-3 limited agriculture area. In order to provide the most reasonable approach, both urban and rural development will be allowed within the Urban Growth Boundary. Rural development shall meet the criteria outlined in the management agreement. Urban development shall be allowed provided the following criteria are met:

- A. Orderly economic provisions for public facilities and services.
- B. Availability of sufficient land for the various uses to insure choice in the marketplace.
- C. Land Conservation and Development Commission goals.
- D. Encouragement of development within urban areas before conversion of urbanizable areas.

GOALS AND POLICIES

Section III

Goals and Policies

1. To provide a Citizen Involvement Program that assures the opportunity for all citizens to be involved in the planning and implementation of the city's programs.
2. To provide a Citizen Involvement Program that assures the opportunity for all citizens to be involved in the planning and implementation of the city's programs.
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GOALS AND POLICIES

SECTION III
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.

Policy - The City shall insure an adequate citizen involvement in all phases of the planning process. To that end, the citizen involvement program is spelled out on Page 5 of this plan.

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 decisions.
- 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.

GOAL 3 - To preserve and maintain agricultural lands.

Policies - The City shall:

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

GOAL 4 - To conserve forest lands for forest uses.

Due to the absence of any forest lands within the planning area, the City finds this statewide planning goal inappropriate for the City.

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

Policies - The City shall:

- A. Preserve the scenic vistas afforded by the Cascade Mountain Range.
- B. Preserve the old City Hall and Jail
- C. Continue to support and cooperate with the Jefferson County Museum Association.

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

Policies -

- A. All new construction within the City shall be connected to the City's municipal sewer system.
- B. The City shall strive to maintain state and federal standards for water quality.

C. The City shall insure all new industries meet state and federal air quality standards.

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

Policies -

The City shall insure compliance with the City's flood plain ordinance.

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

Policies - The City shall

- A. Seek opportunities to develop the following recreational opportunities:
 - 1. Tennis Courts
 - 2. Handball and Racquet Courts
 - 3. Swimming Pool
 - 4. Bike Paths.
- B. Improve and maintain a bike/hiking path along Willow Creek.
- C. Develop new neighborhood playground parks as the need occurs.

GOAL 9 - To diversify and improve the economy of the City. An Overall Economic Development Plan was developed by residents of Madras and Jefferson County and adopted on June 29, 1977. Portions of the plan were reproduced in the inventory section of the Comprehensive

Plan. Not all goals and objectives of the OEDP are applicable to the City of Madras; therefore, only those which are applicable to the City are reprinted here. However, the City of Madras does recognize the importance of the OEDP to the entire Jefferson County area. The City incorporates by reference the 1977 OEDP.

Policies - The City shall seek opportunities to:

- A. Develop a source of water supply for fire protection of the Madras industrial site.
- B. Develop and construct a multi-purpose civic auditorium.
- C. Identify types of industries which could be suitably located in the Madras area and promote the advantages of the Madras industrial site to those type of industries.
- D. Expand wholesale and retail trade industries.
- E. Expand tourism and recreation industries.
- F. Expand airport facilities.

Implementation measures - The City shall:

- A. Seek opportunities for funding to finance water system for the industrial site.
- B. Concentrate commercial activity in or near the Madras Central Business District.

- C. Continue to coordinate economic development efforts with Jefferson County and the Central Oregon Inter-governmental Council.

GOAL 10 - To provide for the housing needs of the citizens of the City.

Policies - The City shall:

- A. Provide buildable land for a variety of housing types.
- B. Encourage development of suitable housing to satisfy all income levels.

Implementation Measure - The City will continue to support the affirmative fair housing marketing plan as adopted by the City.

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.

Policies - The City shall:

- A. Continue to support the school district in providing adequate educational facilities.
- B. Provide urban services as required to the urbanizing areas of the City.
- C. Insure the provision of urban services -- street, water and sewer -- as new developments occur.

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

Policies - The City shall maintain and improve the City's street network policies. The City shall undertake to resolve the following problems as noted in the inventories section of the Comprehensive Plan. These include:

- A. Construction of a bridge over Willow Creek to connect 10th Street. This will provide better access to and from a growing residential area to the north of the City.
- B. The intersection of northbound U.S. 97 and Adams Drive needs to be improved. The present "Y" situation creates a serious traffic hazard and can be easily corrected by turning Adams Drive sharply to form a 90 degree intersection.
- C. Buff Street needs to be extended to Grizzly Road to provide better east-west circulation.
- D. Although the following needs are out of the City's jurisdiction, the City urges and fully supports:
 - 1. The placement of additional directional signs in the northbound lanes of 5th Street to announce the junction of Highways U.S. 26 and 97.

2. The short "U" turn at the south end of the one-way couplet is too short and creates a traffic hazard. The construction of a traffic island and slight relocation to the north of the east-west lanes would enhance the situation greatly.
 3. The addition of a stoplight on one intersection of both north and southbound lanes of the one-way couplet would be of tremendous benefit by slowing through traffic and easing east-west traffic movement. A suggested location to be considered is 5th and "D" Streets and 4th and "D" Streets, when traffic reaches sufficient levels to meet state standards.
- E. During the formulation of this plan, serious consideration was given to the establishment of a highway bypass around the City. It is the City's official position to oppose any relocation of the existing highway through the City at the present time.

GOAL 13 - To conserve energy.

Policies - The City shall:

- A. Encourage more efficient use of utilities.
- B. Conserve energy in the cost of construction and operation of utilities.

- C. Encourage the development of alternative energy sources, including solar energy.

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

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.

LAND USE ELEMENT
POLICY STATEMENT

SECTION IV

LAND USE ELEMENT

The Land Use Element of the Comprehensive Plan is perhaps the most important portion of the plan. This element allocates the uses of the land resources within the planning area and describes various uses that will be allowed within each designation. These are formal policy statements intended to assist in achieving the goals, objectives, and other policies of the plan.

GENERAL DISCUSSION

The City of Madras is responsible for planning of the area inside the corporate city limits. Planning designations for the area within the Urban Growth Boundary is a cooperative process between the City and the County. This cooperative process was based on a mutual agreement between the City and the Jefferson County Planning Commission and County Court. It should be understood that Jefferson County will be responsible for implementation of the plan in areas outside the city limits. Specifically, for areas outside the city limits but inside the designated Urban Growth Boundary, the County is expected to adopt and administer the plan as adopted by the City.

The Land Use Element designates six basic land use categories. The intent is to simplify administration and implementation

of the plan. The land use categories are:

- R-1 Single-family residential
- R-2 Multi-family residential
- C-1 Commercial
- M-1 Light Industrial
- M-2 Heavy Industrial
- O/S Open Space/Public Facilities

Background for Land Use Category Decisions

The City of Madras first implemented a zoning ordinance in 1947 and revised it in 1964, designating six land use zones including two commercial and two industrial. The concept of this plan is to ease administration and implementation. The land use categories were derived by first reviewing the existing land use patterns of the City in the planning area and inventory of the buildable lands within the City. Then areas of special hazards such as flood plains and areas of natural resources which the City desired to preserve and maintain were reviewed. Finally, the planning area residents discussed alternative future growth patterns.

The Land Use Plan Map was then developed by first designating the special hazard areas. The next step involved designating open space areas for parks and areas which the City wishes to preserve. Commercial land use area was then considered and future needs for commercial activity were projected. It was noted that there is very little commercial land yet undeveloped within the existing city limits and therefore

additional commercial lands are designated within the Urban Growth Boundary. Industrial lands surrounding the City were reviewed and it was noted the industrial park is inside the Urban Growth Boundary with suitable lands available for significant development. The existing light industrial area within the City also allows for substantial development, therefore, no further industrial lands were designated. Existing residential uses were then reviewed and it was noted in reviewing the existing land use map of the City that there are approximately 480 lots still vacant within the City. Therefore, there is room for substantial growth within the City as well as within the Urban Growth Boundary. The plan designates two residential categories -- R-1 "Single-family Residential" and R-2 "Multi-family Residential". Minimum lot size requirements for R-1 "Single-family Residential" shall be 7,500 square feet when the owner contemplates using both community water and sewer systems. Minimum lot size in the R-2 "Multi-family Residential" zone shall be as outlined in the Zoning Ordinance.

- A. A general requirement for all residential land use categories is that any lot created after adoption of this plan shall be served by a dedicated right-of-way. The Subdivision Ordinance shall establish minimum width and improvement standards of required rights-of-way. In order to provide a correlation

between the Comprehensive Plan text and the Comprehensive Plan Map, the following information regarding the establishment of the land use categories is provided.

1. R-1 "Single-family Residential".

Single-family residential areas were designated in areas surrounding existing commercial and multi-family areas of the City. Primarily, these single-family residential lands are the outer edges of the city limits and into the Urban Growth Boundary. Minimum lot size for single-family residential shall be 7,500 square feet requirement. Modular home subdivisions utilizing dwelling units at least 20 feet wide, shall be allowed in the R-1 area. Duplexes shall also be allowed in the R-1 zone.

2. R-2 "Multi-family Residential".

The multi-family residential areas of the City were designated to serve as a buffer between commercial and single-family residential land uses. It is the intent to provide multi-family dwellings in close proximity of existing commercial uses to provide for easier commuting to goods and services for residents of these types of housing units. Neighborhood commercial facilities and mobile home parks shall be allowed after Planning Commission review. The Zon-

ing Ordinance shall specify standards for lot size requirements for housing units locating within the boundaries of the R-2 area.

3. C-1 "Commercial".

Commercial land use areas as designated on the Comprehensive Plan Map are provided for the stability and growth of the City's economic base. The Plan provides for additional commercial land to supplement the existing commercial activities. The additional commercial lands are located in close proximity to the existing commercial center of the City and to the north and south of the core area. The problem with the designation of additional commercial lands along the transportation corridors is that it further complicates the already difficult strip-development situation which has existed in Madras for a number of years. In reviewing the conceivable alternatives, however, it was noted that very few suitable alternatives exist and it was decided to continue with the existing development pattern. Major commercial developments, including mobile home parks, shall be reviewed by the City for compatibility and consistency with the goals and objectives of this plan. No minimum lot size is established, however, all future

commercial land uses shall conform to the standards set forth in the Zoning Ordinance, including site plan review.

4. M-1 "Light Industrial".

Light Industrial land is provided in an area of existing industrial use within the city limits.

5. M-2 "Heavy Industrial".

Heavy Industrial uses are designated for the Madras Industrial Park. Future industrial development shall be reviewed by both the City and County to establish compatibility and consistency with the goals and objectives of this plan.

6. O/S "Open Space/Public Facilities".

The Open Space/Public Facilities land use category is designed to show lands within the planning area that are established parks or lands that are under public ownership with established public uses taking place.

7. Flood Plain.

The Willow Creek Flood Plain as established by the Federal Insurance Administration is shown on the Comprehensive Plan Map as an overlay. The underlying land use categories shall control types of land uses that take place. The Flood Plain designation is to indicate the special construction techniques

to be utilized in this area. The City's Flood Plain Ordinance shall be consulted before specific building permits are issued for construction in the area.

Establishment of Urban Growth Boundary and Urbanization

One of the concepts of the Land Conservation and Development Commission's adopted goals and guidelines is the development of an Urban Growth Boundary. An Urban Growth Boundary is a line around the perimeters of the City which is a boundary line for the future provision of City services (for example; sewer and water) and to separate urbanizable land from rural lands. The Urban Growth Boundary may be inside or outside the existing city limits, however, it must be mutually adopted by both the City Council and the Jefferson County Court. Once adopted, the Urban Growth Boundary will be, at best, difficult to change. Therefore, the establishment of this boundary line must be carefully considered.

Development of the Madras Urban Growth Boundary has taken approximately 18 months to reach at least a tentative agreement between the two planning commissions and governing bodies. The boundary is now shown on the Comprehensive Plan Map and contains approximately 1,400 acres of additional lands over and above the incorporated limits of the City of Madras.

URBAN GROWTH MANAGEMENT PLAN

- A. Area inside the Urban Growth Boundary shall be zoned to meet city standards for single-family dwellings.

Additional land use designations may also be indicated to be outside of the existing city limits. Jefferson County will utilize the substantive portions of the City's Zoning Ordinance in the administration of this area.

- B. Within the Urban Growth area, the County shall retain jurisdiction for the land use decisions. However, subdivision and partitioning developments will be required to meet the City's improvement standards as outlined in the City's Subdivision Ordinance.
- C. City policy requires annexation in order to receive sanitary sewer service. Therefore, developments intending to utilize the minimum lot size standards will be required to locate in close proximity to the existing city limits to receive sewer service.
- D. Developments proposed away from sanitary sewer service will be required to meet Oregon State Department of Environmental Quality standards for subsurface sewage disposal. Further, because sanitary sewer service may be anticipated in the future, proposed developments will be required to submit a redevelopment plan along with the preliminary plat which provides for an orderly redevelopment of the subdivision in the event sewer service is provided. The development plan will allow a homeowner to reduce an oversized lot which may not be economical once annexed

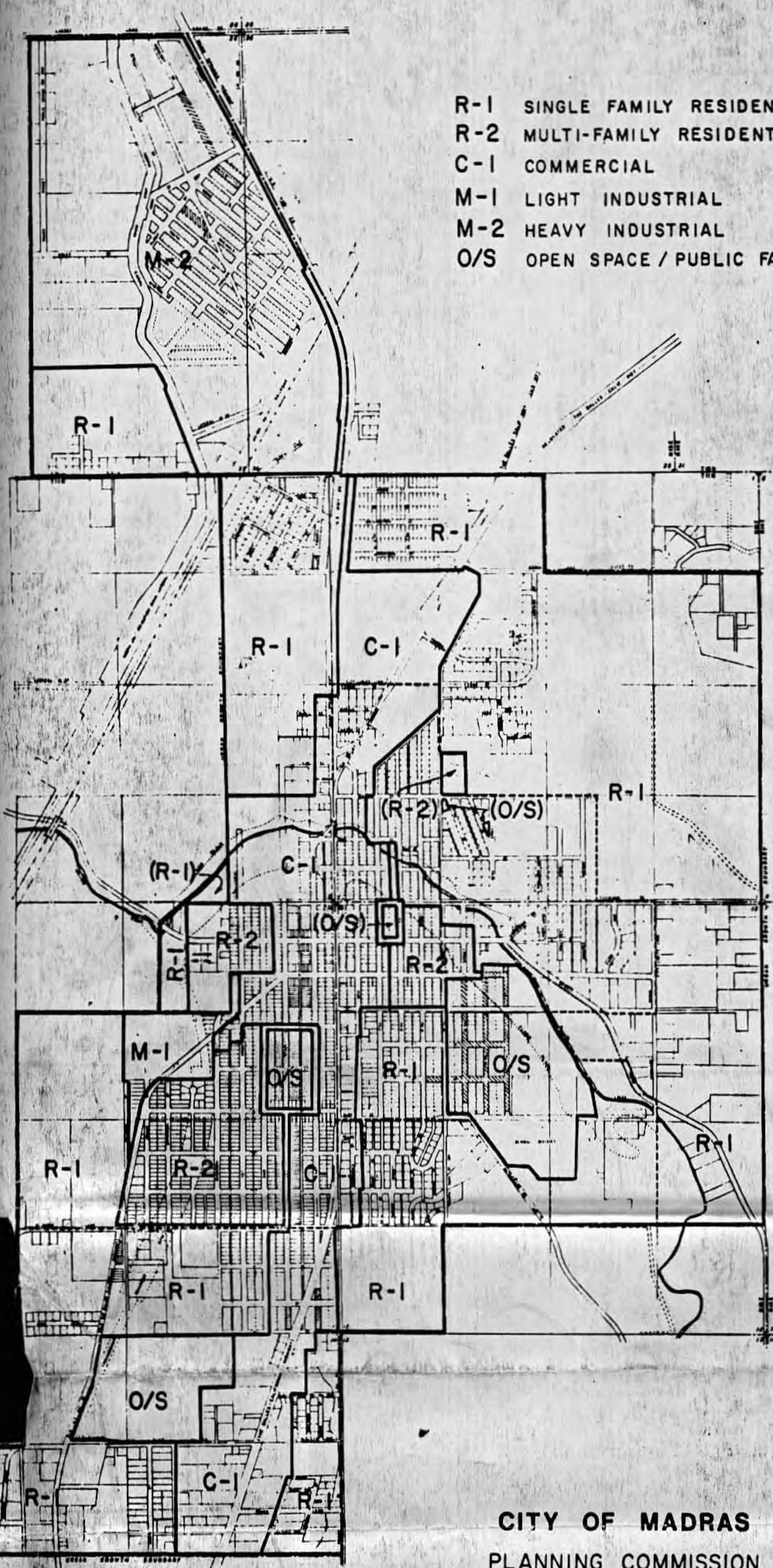
to the City. Potential buyers must be notified of this option at the time of purchase.

- E. The City has determined, in the development of the plan, that the City may not be able to provide community water service to areas both inside and outside the existing city limits. Therefore, it is understood that within these areas, as of the date of adoption of this plan, the Deschutes Valley Water District may be requested to provide domestic water service to these urbanizing areas.

Areas Outside the Urban Growth Boundary

The City encourages the County to adopt exclusive farm use zoning for those lands outside the adopted Urban Growth Boundary which are considered irrigated farm lands. Areas outside the Urban Growth Boundary which are non-irrigated and unsuitable for agriculture are encouraged to be utilized for large lot rural residential development.

- R-1 SINGLE FAMILY RESIDENT
- R-2 MULTI-FAMILY RESIDENT
- C-1 COMMERCIAL
- M-1 LIGHT INDUSTRIAL
- M-2 HEAVY INDUSTRIAL
- O/S OPEN SPACE / PUBLIC FACILITIES



CITY OF MADRAS
PLANNING COMMISSION
COMPREHENSIVE PLAN
LAND USE CATEGORY

ADMINISTRATIVE PROCEDURES

This Comprehensive Plan shall be reviewed by the Planning Commission every two years in order to provide a working document that is kept up to date as conditions and needs change in the community. When such changes are required, the following processes are established for that purpose.

Revisions

There are two types of revision processes for the Comprehensive Plan. The plan may be changed by either (1) legislative or (2) quasi-judicial action. Types of revision and processes are outlined below. In determining which process to follow, the City's administrative staff shall review the application and recommend the proper course of action. The administrative decision may be appealed to the Planning Commission.

Major Revisions (legislative)

A major revision to this plan is defined as a policy making change in the text or plan map that will have widespread and significant impact through the planning area. The proposed change will be considered as a legislative action and will require the following procedure:

- A. The City Council or Planning Commission may initiate the proposed change.
- B. The adopted citizen and agency involvement programs shall be utilized to stimulate the public interest and participation in the amendment process.

- C. A public hearing shall be conducted by the Planning Commission.
- D. At least 21 days notice to the public of the hearing shall be published in a local newspaper of general circulation.
- E. In order to submit a favorable recommendation for the proposed change to the City Council, the Planning Commission shall establish the compelling reasons and make a finding of fact for the proposed change. These include:
 - 1. The proposed change will be in conformance with statewide planning goals.
 - 2. There is a demonstrated need for the proposed change.
- F. The City Council, upon receipt of the Planning Commission recommendation, may adopt, reject, or modify the recommendations or may conduct a second public hearing on the proposed change.
- G. In all proposed amendment actions, the City Council must make the final decision to adopt or deny the proposed change.

Quasi-judicial Revisions

A quasi-judicial revision is defined as an amendment to the comprehensive plan map which consist of an application of the policies of the plan to a particular piece of property

with no widespread significance and having no general applicability to areas of similar use.

- A. Private individuals, property owners, or governmental agencies may initiate the proposed change. Cost for notification and advertising shall be borne by the applicant.
- B. The adopted citizen and agency involvement programs shall be utilized to stimulate the public interest and participation in the amendment process.
- C. A public hearing shall be conducted by the Planning Commission.
- D. At least 21 days notice to the public of the public hearing shall be provided. The notice shall be published in a local newspaper of general circulation.
- E. Individual notices shall be mailed to property owners within 250 feet of the area subject to the proposed change. These notices shall be mailed at least 21 days prior to the scheduled public hearing.
- F. In order to submit a favorable recommendation for the proposed change to the City Council, the Planning Commission shall establish the compelling reasons and make the following finding of fact for the proposed change:
 - 1. The proposed change will be in conformance with the statewide planning goals.
 - 2. There is a demonstrated public need for the proposed change.

- G. The City Council, upon receipt of the Planning Commission recommendations, may adopt, reject, or modify the recommendation or may conduct a second public hearing on the proposed change.
- H. In all proposed amendment actions, the City Council must make the final decision to adopt or deny the proposed action.

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 Madras City Council and the Jefferson County Court. 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 Madras City Council or Planning Commission, Jefferson County Court or Planning Commission, 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.
- D. In order to make a favorable recommendation on the boundary revision, the Planning Commission shall make its decision based upon the consideration of the following factors:
 - 1. Demonstrated need to accommodate long-range urban population growth requirements consistent with Land Conservation and Development Commission 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.
 - 5. Environmental, energy, economic, and social consequences.
 - 6. Retention of agricultural land as defined, with Class I being the highest priority for retention and Class VI the lowest priority.
 - 7. Compatibility of the proposed urban uses with nearby agricultural activities.

- E. The City of Madras Planning Commission recommendations and findings will be passed 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 will 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 Court for review and consideration. The Jefferson County Court must conduct a public hearing on the proposed amendment. If, for any reason, the County Court 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 Court.

- 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.

The first part of the report deals with the general situation of the country and the progress of the work during the year. It is followed by a detailed account of the various projects and the results achieved. The report concludes with a summary of the work done and the plans for the future.

The work has been carried out in accordance with the programme of work approved by the Council of the League of Nations. It has been a year of hard work and many achievements have been made. The results of the work are set out in the following pages.

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ORDINANCE NO. 377

AN ORDINANCE ESTABLISHING LAND USE ZONES TO REGULATE THE LOCATION OF BUILDING STRUCTURES AND THE USE OF LAND WITHIN THE CITY OF MADRAS, OREGON; PROVIDING PENALTIES OF THE VIOLATION THEREOF; REPEALING ORDINANCES NOS. 252, 304, 309, 310, 356 AND 373, AND ALL OTHER ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT HERewith; AND DECLARING AN EMERGENCY.

THE CITY OF MADRAS ORDAINS AS FOLLOWS:

ARTICLE 1: INTRODUCTORY PROVISIONS

SECTION 1.1 - TITLE. This ordinance shall be known as the City of Madras Zoning Ordinance.

SECTION 1.2 - PURPOSE.

- (1) To implement the Comprehensive Plan as adopted by the Madras City Council on June 20, 1979.
- (2) To comply with Chapters 227 and 197, Oregon Revised Statutes.
- (3) To promote the public health, safety, and welfare of the citizens of the City of Madras.

SECTION 1.3 - DEFINITIONS. As used in this ordinance the singular includes the plural and the masculine includes the feminine and neuter; the word "may" is discretionary, the word "shall" is mandatory. The following words and phrases shall mean:

- (1) ACCESS. The way or means by which pedestrians and vehicles enter and leave property which is commonly open to use by the public.
- (2) ACCESSORY USE OR ACCESSORY STRUCTURE. A use or structure incidental and subordinate to the main use of the property and located on the same lot as the main use.

- (3) ALLEY. A street which affords only a secondary means of access to the property.
- (4) AUTOMOBILE WRECKING YARD. Premises used for the storage or sale of used automobile or truck parts or for the storage, dismantling or abandonment of junk, obsolete automobiles, trailers, trucks, machinery or parts thereof.
- (5) APARTMENT. A building or portion thereof designed for occupancy by three or more families living independently of each other.
- (6) BOARDING HOUSE, LODGING, OR ROOMING HOUSE. A building where lodging, with or without meals, is provided for compensation for over four guests.
- (7) BUILDING. A structure or mobile home unit built for the support, shelter, or the enclosure of persons, animals, chattels, or property of any kind.
- (8) BUILDING SITE. One or more lots or parts of lots grouped together to form a parcel or tract of land to be used for building one or more structures. The building site lines shall be those lines which bound the total area.
- (9) CITY. City of Madras.
- (10) CITY COUNCIL. Madras City Council.
- (11) COMMERCIAL. The purchase, sale, or other transaction involving the handling or disposition, other than included in the term "Industry" as defined in the appropriate section, of any article, substance, or commodity for the livelihood or profit, including shops for the sale of personal services including professional services, and places where commodities, services, or merchandise are sold or agreements are made to furnish them.
- (12) CONTIGUOUS LAND. Two or more parcels or units of land including water, under a single ownership which are not separated by an intervening parcel of land under a separate ownership, including limited access right-of-way which would deny access between the two parcels under single ownership.
- (13) DWELLING UNIT. One or more rooms designed for occupancy by one family and not having more than one cooking facility.
- (14) DUPLEX. A building containing two dwelling units designed for occupancy by two families.
- (15) FAMILY. An individual or two or more persons related by blood, marriage or legal adoption or legal guardianship, living together in a dwelling unit at which meals or

lodging may also be provided for not more than four additional persons, excluding servants, or individuals or a group of not more than five persons, excluding servants, who need not be related by blood, marriage, adoption, or legal guardianship, living in a dwelling unit.

- (16) FENCE, SITE OBSCURING. A fence or planting arranged in such a way as to obscure vision.
- (17) GRADE, GROUND LEVEL. The average of the finished ground level at the center of all walls of a building. In case a wall is parallel to and within five feet (5') of a sidewalk, the ground level shall be figured at the sidewalk.
- (18) HEIGHT OF BUILDING. The vertical distance from the "grade" to the highest point of the coping of a flat roof or to a deck line of a mansard roof, or to the average height of the highest gable of a pitch or hip roof.
- (19) HOME OCCUPATION. The lawful occupation carried on by a resident of a dwelling as an accessory use within the same dwelling, provided:
- A. There is no person employed other than the resident of the dwelling, and
 - B. The occupation is carried on in such a manner as not to impart the outward appearance of a business in an ordinary meaning of the term, or cause or lead to unreasonable increase of the flow of traffic in the neighborhood or production of noise or other forms of environmental pollution.
- (20) HOSPITAL. An establishment which provides sleeping and eating facilities for persons receiving medical, obstetrical, or surgical care and nursing service on a continuous basis.
- (21) INDUSTRIAL. The making of commodities by manufacturing, assembling, fabrication, generating or compounding by manual labor or machinery. The term includes physical or chemical processes or combinations thereof.
- (22) LOADING SPACE. An off-street space within a building or on the same lot with a building for the temporary parking of a commercial vehicle or truck while loading or unloading merchandise or materials, and which space has access to a street or alley.
- (23) LOT. A parcel or tract of land.
- (24) LOT AREA. The total area of the lot measured in the horizontal plane within the lot boundary lines exclusive

of public or private road and the easement of access to other properties.

- (25) LOT DEPTH. The average horizontal distance between the front lot line and the rear lot line.
- (26) LOT LINE, FRONT. The line on the lot facing the street from which the access to the lot is commonly made.
- (27) LOT WIDTH. The average horizontal distance between the side lot lines ordinarily measured parallel to the front lot line.
- (28) MOBILE HOME. A vehicle or structure constructed for movement on the public highways, which has sleeping, cooking, and plumbing facilities, is intended for human occupancy, and does not exceed twenty feet (20') in width.
- (29) MOBILE HOME PARK. Any privately owned place where two or more mobile homes used for human occupancy are parked within 500 feet of one another on a lot, tract, or parcel of land under the same ownership, the primary purpose of which is the rental of spaces.
- (30) MODULAR HOME. A factory built home that has a continuous width of twenty feet (20') or more and is the result of the combination of joining (at the time placed on the property) of two or more sections, to which wheels may be attached for the purpose of moving it to a permanent location to be affixed to the real property by a permanent and continuous concrete wall foundation.
- (31) MODULAR HOME SUBDIVISION. A subdivision of land in accordance with the Madras Subdivision Ordinance which is accompanied with covenants which allow the placement of modular homes only.
- (32) MULTIPLE-FAMILY DWELLING. Dwelling designed or intended for the residence of two or more families.
- (33) NEIGHBORHOOD COMMERCIAL. Limited commercial activities primarily for the convenience of the surrounding residential neighborhood.
- (34) NONCONFORMING STRUCTURE OR USE. A lawful existing structure or use at the time this ordinance or any amendment thereto becomes effective, which does not conform to the requirements of the zone in which it is located.
- (35) OWNER. A person, his authorized agent, or representative having legal authority to use, transfer, or lease land.

- (36) PERSON. A natural person, firm, partnership, estate, receiver, syndicate, branch of government, or any group or combination acting as a unit.
- (37) PLANNING COMMISSION. The Madras City Planning Commission.
- (38) RESIDENTIAL USE. A structure or use designed or used for occupancy as a human dwelling or lodging place, such as single-family dwelling, duplex, apartment, boarding, lodging, or rooming house, mobile home or mobile home park, or labor camp.
- (39) RECREATIONAL VEHICLE. A vehicle or structure designed for highway use that is intended or used for human occupancy, is not being used for residential or business purposes, and is being used solely for vacation and recreational purposes.
- (40) PARKING PLACE. A rectangle not less than 20 feet long and 10 feet wide, together with maneuvering and access space for an automobile, equipment or other vehicle to park within the rectangle without the necessity of maneuvering other parked vehicles.
- (41) SIGN. An outdoor sign, display, message, emblem, device, figure, painting, drawing, placard, poster, billboard, or other thing that is used, designed or intended for advertising purposes or to inform or attract the attention of the public. The term includes the sign supporting structure, display surface and all other component parts of the sign. When dimensions of the sign are specified, the term includes the panels and frames, and the term includes both sides of the sign of specified dimension or area, but the term shall not include a sign as reasonably necessary or required by any branch or agency of the government pursuant to any public law or regulation.
- (42) SINGLE-FAMILY DWELLING. A detached residential dwelling designed for occupancy by one family. The structure must conform to the requirements of the current Oregon State Uniform Building Code.
- (43) STREET. The entire width between the right-of-way lines of every public way for vehicular and pedestrian traffic, and includes the terms road, highway, lane, place, avenue, alley or other similar designation which is commonly open to use by the public.
- (44) STRUCTURE. Something which is constructed or built having a fixed base on or fixed connection to the ground or other structure.
- (45) SUBDIVIDE LAND. To divide an area or tract of land into four (4) or more lots when such area or tract of land exists as a unit or contiguous units of land under a single ownership at the time of adoption of this ordinance.

- (46) SUBDIVISION. An act of subdividing land or an area or tract of land, subdivided as defined in this section.
- (47) TRACT OR AREA. Measurable extent or stretch of contiguous land.
- (48) USE. The purpose for which land or building is designed, arranged, or intended, or for which it is occupied or maintained.
- (49) VISION CLEARANCE AREA. A triangular area on a lot at the intersection of two streets or a street and a railroad --two sides of which are lot lines measured from the corner intersection of the lot lines to a distance specified in these regulations. The third side of the triangle is a line across the corner of a lot joining the ends of the other two sides. Where the lot lines at intersections have rounded corners, the lot lines shall be extended in a straight line to a point of intersection. The vision clearance area contains no plantings, walls, structures, or temporary or permanent obstructions exceeding three and one-half feet (3-1/2') in height, measured from the top of the curb.
- (50) YARD. An open space on a lot which is unobstructed from the ground upward, except as otherwise provided in this ordinance, and includes driveways.
- (51) YARD, FRONT. A yard between the side lot lines and measured horizontally at right angles to the front lot line from the front lot line to the nearest point of a building. Any yard meeting this definition abutting on a street other than an alley shall be considered a front yard.
- (52) YARD, REAR. Yard between the side lot lines and measured horizontally at right angles to the rear lot line from the rear lot line to the nearest point of a building.
- (53) YARD, SIDE. The yard between the front and rear yard measured horizontally at right angles from the side lot line to the nearest point of a building.

ARTICLE 2: BASIC PROVISIONS

SECTION 2.1 - COMPLIANCE WITH ORDINANCE PROVISIONS.

- (1) No building or land shall hereafter be used and no building or part thereof shall be erected, moved, or altered, unless in conformity with the regulations herein specified for the zone in which it is located, except as otherwise provided therein.
- (2) No permit for construction or alteration of any building shall be issued unless plans, specifications, and intended use of such building shall be submitted and on file with the City Recorder and conform in all respects with the provisions of this ordinance.
- (3) A building permit shall be issued within ten days after application has been made if such use is in conformity with this ordinance.

SECTION 2.2 - ESTABLISHMENT OF LAND USE ZONES. This ordinance hereby establishes the following land use zones:

<u>Zone</u>	<u>Abbreviated Designation</u>
Single-family Residential	R-1
Multiple-family Residential	R-2
Commercial	C-1
Light Industrial	M-1
Heavy Industrial	M-2
Open Space/Public Facilities	O/S

SECTION 2.3 - LOCATION OF ZONES. The boundaries of the zones listed in this ordinance are indicated on the Madras Zoning Map, which is attached to this ordinance.

SECTION 2.4 - ZONING MAP.

- (1) The official zoning map is maintained at the Madras City Hall. Amendments to this map shall be reflected as soon as practicable after adoption by the Madras City Council.
- (2) Due to the wide distribution of copies of this ordinance, amendments to the zoning map or text of this ordinance shall not always be able to be reflected in each and every copy. The official ordinance map shall be maintained in the office of the Madras City Recorder.

ARTICLE 3: LAND USE ZONES

SECTION 3.1 - SINGLE-FAMILY RESIDENTIAL (R-1)

(1) PERMITTED USES.

- A. Single-family dwellings
- B. Duplexes
- C. Modular home subdivisions
- D. Public parks
- E. Accessory buildings

(2) CONDITIONAL USES.

- A. Home occupation
- B. Churches
- C. Public buildings, such as library, fire station, museum, public or private schools, etc.
- D. Public utilities
- E. Lodge or civic organizations
- F. Medical and dental clinics, hospitals, sanitariums, rest homes, homes for the aged, nursing homes, convalescent homes

(3) AREA REQUIREMENTS. The minimum lot size requirements are as follows:

- A. For platted lots before the enactment of Ordinance 252:
 - 1. Single-family dwelling units -- 5,000 square feet
 - 2. Duplexes -- 7,500 square feet
- B. Lots not already platted at the time of enactment of this ordinance and non-platted areas annexed to the city following enactment of City of Madras Ordinance No. 252 shall have a minimum lot size as follows:
 - 1. Single-family dwelling units -- 7,500 square feet
 - 2. Duplexes -- 8,000 square feet

- (4) SETBACK REQUIREMENTS. The minimum setback requirements shall be as follows:
- A. Front Yard. 12 feet deep from the lot line to the principal structure. On corner lots this shall require 12 feet from the lot line on both streets to any structure and this shall be designated as a vision clearance area.
 - B. Rear Yard. Not less than 5 feet deep from the lot line to any structure.
 - C. Side Yard. No side yard shall be less than 5 feet wide at its narrowest point.
 - D. Minimum Yard Requirements. Yard spaces shall not overlap. No part of a yard or other open space required about any building for the purposes of complying with provisions of this ordinance shall be included as a part of a yard or other open space required under this ordinance for another building.
- (5) HEIGHT OF BUILDING. No principal structure or accessory building shall exceed a height of 35 feet when measured from the average grade of the lot.
- (6) LOT COVERAGE. The area covered by the principal structure and its accessory structures shall not exceed 50 percent of the building lot.
- (7) PARKING REGULATIONS.
- A. Dwellings. Two parking spaces shall be provided on each lot for each dwelling unit.
 - B. Uses other than Dwellings. (Churches, lodges, civic and fraternal organizations, schools, and libraries) One parking space shall be provided for each four seats in the main assembly room.
 - C. Government Offices. One space for each permanent employee.
- (8) SANITATION REGULATIONS. Before any dwelling is occupied it must be connected to the city sewer system where the structure is within 300 feet of an existing city sewer.

SECTION 3.2 - MULTIPLE-FAMILY RESIDENTIAL (R-2)

(1) PERMITTED USES.

- A. Single-family dwellings and accessory buildings.

B. Boarding houses

C. Multiple-family dwellings of 2 or more units (with site plan review)

(2) CONDITIONAL USES.

A. Churches

B. Public schools and libraries

C. Governmental uses, such as city hall, fire station, police station, and offices for governmental agencies

D. Lodge for civic or fraternal organizations

E. Necessary public utilities and public services with safeguards against harm to adjacent or abutting residential property as required by the City Council

F. Mobile Home Parks

G. Home Occupation

H. Neighborhood Commercial

(3) AREA REQUIREMENTS. Minimum lot size requirements are:

A. For platted lots before the enactment of Ordinance 252:

1. Single-family dwelling units -- 5,000 square feet

2. Duplexes -- 7,500 square feet

3. Multiple-family dwellings (same as Subsection B-2, below)

B. Lots not already platted at the time of enactment of City of Madras Ordinance No. 252 and non-platted areas annexed to the City following enactment of this ordinance shall have a minimum lot size as follows:

1. Single-family dwelling units -- 7,500 square feet

2. Multiple-family dwellings -- 8,000 square feet for the first two units, plus 2,000 square feet for each additional dwelling unit.

(4) SETBACK REQUIREMENTS. The minimum setback requirements shall be as follows:

A. Front Yard. 12 feet deep from the lot line to the principal structure. On corner lots this shall require 12 feet from the lot line on both streets to any structure and this shall be designated as a vision clearance area.

B. Rear Yard. Not less than 5 feet deep from the lot line to any structure.

C. Side Yard. No side yard shall be less than 5 feet wide at its narrowest point.

D. Minimum Yard Requirements. Yard spaces shall not overlap. No part of a yard or other open space required about any building for the purposes of complying with provisions of this ordinance shall be included as a part of a yard or other open space required under this ordinance for another building.

(5) HEIGHT OF BUILDING. No principal structure or accessory building shall exceed a height of 35 feet when measured from the average grade of the lot.

(6) LOT COVERAGE. The area covered by the principal structure and its accessory structures shall not exceed 50 percent of the building lot.

(7) PARKING REGULATIONS.

A. Dwellings. Two parking spaces shall be provided on each lot for each dwelling unit.

B. Uses other than Dwellings. (Churches, lodges, civic and fraternal organizations, schools, and libraries) One parking space shall be provided for each four seats in the main assembly room.

C. Government Offices. One space for each permanent employee.

(8) SANITATION REGULATIONS. Before any dwelling is occupied it must be connected to the city sewer system where the structure is within 300 feet of an existing city sewer.

SECTION 3.3 - COMMERCIAL (C-1)

(1) PERMITTED USES. Subject to site plan review.

A. Motels.

B. Recreational vehicle parks.

C. Food stores

D. Automobile service stations.

E. Cafes and restaurants including drive-ins.

- F. All commercial uses including retail stores, service establishments, professional and other office, recreational enterprises, financial institutions, hotels, apartments, and similar uses.
- G. Telephone exchange or electrical substations.
- H. Fire, police, or other governmental buildings.
- I. Clubs and lodges.
- J. Electrical equipment assembly sales or repair including the manufacture of small parts such as: coils, condensers, transformers, and crystal holders.
- K. Electrical, plumbing, heating or paint sales, service and repair.
- L. Frozen food lockers.
- M. Garage - automobile, light truck and trailer, or marine sales, rental storage, service and repair.
- N. Laundry or dry cleaning.
- O. Machine shop repair.
- P. Manufacture of artificial limbs, dentures, hearing aides, surgical instruments, and dressings or other devices employed by the medical or dental profession.
- Q. Bakery goods and candy.
- R. Restaurant.
- S. Service Station.
- T. Sign painting shop, sale or repair.
- U. Upholstery shop.

(2) AREA REQUIREMENTS. None.

(3) SETBACK REQUIREMENTS. None, except those required by the Uniform Building Code for prevention of fire. Provided that:

- A. The rear yard shall be a minimum of 10 feet where abutting a residential zone, or
- B. The structure shall not be less than 10 feet from the zone boundary line where abutting the residential zone.

- (4) HEIGHT OF BUILDING. No commercial structure shall exceed a height of 45 feet without prior authorization from the City Planning Commission and/or the City Council.
- (5) PARKING REGULATIONS. Off-street parking requirements shall be reviewed by the Planning Commission as part of the site plan review. As a general rule of thumb, one space per 100 square feet of floor area will be required.
- (6) SANITATION REGULATION. Before any commercial structure is occupied, it must be connected to the city sewer system where the structure is within 300 feet of an existing city sewer.

SECTION 3.4 - LIGHT INDUSTRIAL (M-1)

- (1) PERMITTED USES. Subject to site plan review.
 - A. A use permitted in a C-1 zone.
 - B. Small animal hospital or veterinarian's office.
 - C. Assembly, manufacture or preparation of articles of merchandise from the following previously prepared types of material: bone, canvas, cellophane, cloth, cork, feathers, felt, fiber, fur, glass, hair, horn, lacquer, leather, paper, plastics, precious or semi-precious metals or stones, shell, textiles, tobacco, wax, wire, yarn, or paint not employing a boiling process.
 - D. Heavy duty truck and trailer sales, rental, storage, service, or repair.
 - E. Billboard.
 - F. Bottling Plant.
 - G. Building of marine pleasure craft.
 - H. Cabinet shop, carpenter shop or woodworking shop.
 - I. Cold storage plant.
 - J. Contractor's equipment and storage yard.
 - K. Express, storage, or delivery station.
 - L. Feed and seed store. Milling.
 - M. Food or nut packing or processing.
 - N. Fuel oil distribution, retail.

- O. Furniture manufacturer.
- P. Lumber yard or building materials sales or storage yard.
- Q. Machine shop.
- R. Machinery, farm equipment, or implement sales, service or repair.
- S. Manufacture, compounding, processing, packaging or treatment of such products as: perfumes, perfumed toilet soap, Pharmaceuticals, toiletries excluding the rendering of fats and oil, fish and meat slaughtering, and fermenting foods such as: sauerkraut, vinegar, or yeast.
- T. Manufacturing of figurines, pottery, or similar ceramic products, using only previously pulverized clay.
- U. Manufacture of musical instruments, novelties, rubber, or metal stamps, or toys.
- V. Manufacture of optical goods, scientific or precision instruments or equipment.
- W. Mattress manufacturing.
- X. Motor freight terminal.
- Y. Power transformer station, utility substation.
- Z. Railroad tracks, freight depots, switching yards, and other rail facilities.
- AA. Rug cleaning plant.
- BB. Sheet metal shop.
- CC. Sign manufacturing.
- DD. Stone, marble or granite cutting as well as bulk aggregate and mixing and manufacturing plants.
- EE. Tire retreading, recapping.
- FF. Transfer and storage company.
- GG. Utility service yard.
- HH. Warehouse.
- II. Welding shop.
- JJ. Wholesale distribution of all standard types of prepared or packaged merchandise such as automobile supplies,

drugs, electrical supplies, furniture, food products, hardware, leather goods, paint, plumbing supplies, textiles and fabrics, or variety store merchandise.

KK. Any manufacturer of materials which emits odors, fumes, or gases, shall be allowed, subject to the approval of the City Planning Commission and City Council. This approval shall also be revokable by the Planning Commission and City Council.

(2) CONDITIONS FOR ALLOWING USES IN AN M-1 ZONE. In an M-1 zone outside storage abutting or facing a lot in a residential zone shall be enclosed by a sight obscuring fence. The fence shall obstruct the storage from view on the sides of the property abutting or facing the lot in the residential zone. The fence shall be of such material and design as will not detract from the adjacent residences and shall be built according to plans submitted by the owner or his authorized agent and approved by the City Planning Commission and/or the City Council.

(3) AREA REQUIREMENTS.

A. The minimum lot area shall be 5,000 square feet

B. The minimum lot width shall be 50 feet

(4) SETBACK REQUIREMENTS.

A. The front yard shall be a minimum of 10 feet when abutting a side residential zone.

B. The rear yard shall be a minimum of 10 feet when abutting a residential zone.

C. The side yard shall be a minimum of 5 feet where abutting a residential zone.

(5) HEIGHT REQUIREMENTS. In an M-1 zone, no building shall exceed a height of 45 feet without prior authorization from the City Planning Commission and City Council.

SECTION 3.5 - HEAVY INDUSTRIAL (M-2) Subject to site plan review.

(1) PERMITTED USES.

A. A use permitted in the M-1 zone.

B. Other uses involving manufacturing, processing, and storage of raw materials, except the following:

1. Explosives manufacture or storage
2. Garbage, offal, or dead animal reduction or dumping
3. Any use which has been declared a nuisance by statute or ordinance by any court of competent jurisdiction or which may be obnoxious or offensive by reason of emission of odor, dust, smoke, gas, or noise, provided the City Council shall have the power, upon recommendation of the Planning Commission, to grant conditional and revokable permit for any such use within the industrial district. After a public hearing and examination of the location and upon due proof to the satisfaction of the City Council that the maintenance of such use would not be unduly detrimental to adjacent surrounding property.

(2) CONDITIONS FOR ALLOWING USES IN AN M-2 ZONE. In an M-2 zone, the outside storage abutting or facing a lot in all

zones except M-1 shall be enclosed by a site obscuring fence. The fence shall obstruct the storage from view from the sides of the property abutting or facing a lot in the residential zone. The fence shall be of such material and design as to not detract from adjacent residences and shall be built according to plans submitted by the owner or his authorized agent and approved by the City Planning Commission and City Council.

(3) AREA REQUIREMENTS.

- A. The minimum lot size shall be 10,000 square feet
- B. The minimum lot width shall be 50 feet

(4) SETBACK REQUIREMENTS. None except as follows:

- A. The front yard shall be a minimum of 10 feet where abutting a side residential zone.
- B. The rear yard shall be a minimum of 10 feet where abutting a residential zone.
- C. The side yard shall be a minimum of 5 feet where abutting a residential zone.

SECTION 3.6 - OPEN SPACE/PUBLIC FACILITIES (O/S)

(1) PERMITTED USES. Subject to site plan review.

A. Parks

B. Public Facilities

(2) AREA REQUIREMENTS. To be determined by the Planning Commission.

(3) HEIGHT REQUIREMENTS. Structures shall not exceed 35 feet.

(4) PARKING REGULATIONS. To be determined by the Planning Commission.

(5) SANITATION REGULATIONS. To be determined by the Planning Commission.

ARTICLE 4: SUPPLEMENTARY PROVISIONS

SECTION 4.1 - MAINTENANCE OF MINIMUM ORDINANCE REQUIREMENTS.

No lot area, yard, or other open space existing on or after the effective date of this ordinance shall be reduced below the minimum required for it by this ordinance, and no lot area, yard, or other open space which is required by this ordinance for one use shall be used as the required lot area, yard, or other open space for another use.

SECTION 4.2 - ACCESS. Every lot shall abut a street, other than an alley, for at least 50 feet, except in a Commercial zone.

SECTION 4.3 - GENERAL PROVISIONS REGARDING ACCESSORY USES.

An accessory use shall comply with the requirements for a principal use, except as this ordinance specifically allows to the contrary. Regardless of the side yard requirements of the zone, a side yard may be reduced to three feet for a detached accessory structure not exceeding one story and erected more than 60 feet from any street other than an alley.

SECTION 4.4 - FENCES.

Fences, hedges, and walls not more than eight feet (8') in height are permitted on all rear property lines and on all side property lines behind the front setback line. Within the front setback area, fences, hedges, and walls shall not exceed three feet (3') in height.

SECTION 4.5 - ACCESS TO USE OF FACILITIES.

Buildings to be built or substantially altered which receive or distribute materials and merchandise by trucks shall provide and maintain access to an area in the property to provide for associated services. Public alleys may be used for this purpose.

- (1) The following standards shall be used in establishing the minimum of berths required:

<u>Gross Floor Area of the Building in Square Feet</u>	<u>Number of Berths</u>
5,000 up to 10,000	1
10,000 and over	2

- (2) A loading berth shall contain a space ten feet (10') wide and thirty-five feet (35') long, with a vertical clearance of fourteen feet (14'). Where the vehicles generally

used for loading and unloading exceed these dimensions, the required length of these berths shall be increased.

(3) The following general provisions shall apply to off-street loading facilities:

- A. The provisions and maintenance of off-street loading space is a continuing obligation of the property owner. No building permit shall be issued until plans are presented that show property that is and will remain available for exclusive use as off-street space. The subsequent use of property for which the building permit is issued shall be conditional upon the unqualified continuance and availability of the amount of loading space required by this ordinance. Should the owner or occupant of any building change the use to which the building is put, thereby increasing off-street loading requirements, it shall be unlawful and a violation of this ordinance to begin or maintain such altered use until such time as the increased off-street loading requirements are complied with.
- B. Owners of two or more buildings may agree to utilize jointly the same loading spaces when the hours of operation do not overlap, provided that satisfactory legal evidence is presented to the City Recorder in the form of deeds, leases, or contracts to establish the joint use.
- C. A plan drawn to scale, indicating how the off-street loading requirements are to be fulfilled, shall accompany an application for a building permit.
- D. Design requirements for loading areas:
 1. Areas used for standing and maneuvering of vehicles shall have crushed mineral surfaces maintained adequately for all-weather use and so drained as to avoid flow of water across sidewalks.
 2. Loading areas adjacent to residential zones or adjacent to residential uses shall be designed to minimize disturbance of residents.
 3. Artificial lighting which may be provided shall be so deflected as not to shine or create glare in any residential zone or on any adjacent dwelling.
 4. Access aisles shall be of sufficient width for all vehicular turning and maneuvering.

SECTION 4.6 - GENERAL REQUIREMENTS FOR PARKING LOTS. A parking lot, whether an accessory or principal use, intended for the parking of four or more automobiles or trucks shall comply with the following:

- (1) Areas used for standing or maneuvering of vehicles shall have asphaltic surfaces maintained adequately for all-weather use and be so drained as to avoid flow of water across sidewalks.
- (2) Except for parking to serve residential zones, parking areas adjacent to or within residential zones or adjacent to residential uses shall be designed to minimize disturbance of residents.
- (3) Artificial lighting, which may be provided, shall be so deflected as to not shine or create glare in any residential zone or on any adjacent dwelling.
- (4) Access aisles shall be of sufficient width for all vehicular turning and maneuvering.
- (5) Groups of more than four parking spaces shall be so located and served by a driveway that their use will require no backing movements or other maneuvering within a street right-of-way other than an alley.
- (6) Service drives to off-street parking areas shall be designed and constructed to facilitate the flow of traffic, provide maximum safety of traffic access, and the maximum safety of pedestrians and vehicular traffic on the site.
- (7) Service drives shall have a minimum vision clearance area formed by the intersection of the driveway centerline, the street right-of-way line, and a straight line joining said lines through points 12 feet from their intersection.

SECTION 4.7 - SITE PLAN APPROVAL.

- (1) PURPOSE. The purpose of site plan approval is to determine compliance with the objectives of this ordinance in those zoning districts where inappropriate development may cause a conflict between uses in the same or adjoining zoning district by creating unhealthful or unsafe conditions and thereby adversely affect the public health, safety, and general welfare.
- (2) SITE PLAN COMMITTEE. The Planning Commission and the City administrative officer are, as a Site Plan Committee, to carry out the duties set forth in this section. This Committee shall have the authority to approve, disapprove, or to approve with conditions the site plans for all proposed new buildings or structures in those zoning

districts where site plan approval is required. In the review of plans, the Site Plan Committee shall be governed by the purposes and objectives of this section as set forth in Section 4.7 (1 and 3). The decision of the Site Plan Committee shall then be brought before the City Council, along with a summary of the Site Plan Committee's proceedings and findings of fact, at the second regular Council meeting following said Site Plan Committee decision, except that in no event shall the decision be brought to the City Council until after the time for appeal has elapsed.

The City Council shall then review the decision of the Site Plan Committee on the record without hearing further evidence. It shall either affirm the decision of the Site Plan Committee in total, at which time the decision shall be final, or may affirm the decision and modify any conditions of approval made by the Site Plan Committee, or shall set the entire matter for hearing de novo before the City Council. Should the City Council affirm the decision of the Site Plan Committee but modify any conditions thereof, the decision of modification may be appealed to the City Council by any interested party within 15 days of the date of such decision, at which time the City Council shall set a public hearing on the modification of conditions only.

(3) PROCEDURES.

A. Before any building permit shall be issued in any zoning district subject to site plan approval, a site plan for the total parcel or development shall be prepared and submitted to the Site Plan Committee for approval. The site plan shall be drawn to scale and shall indicate the following:

1. Dimensions and orientation of the parcel.
2. Locations of buildings and structures, both existing and proposed.
3. Location and layout of off-street parking and loading facilities.
4. Location of points of entry and exit for motor vehicles, and internal circulation pattern.
5. Location of walls and fences and indication of their height and materials of their construction.
6. Indications of exterior lighting standards and devices.
7. Location and size of exterior signs and outdoor advertising.

8. Location of required landscaping.
 9. Grading and slopes where they affect relationship of the buildings and drainage.
 10. Indications of the heights of buildings and structures.
 11. Indication of the proposed use of buildings shown on the site.
 12. Any other such architectural or engineering data as may be required to permit necessary findings that the provisions of this ordinance are complied with.
 13. Where an attachment or minor addition to an existing building or structure is proposed, the site plan shall indicate the relationship of said proposal to the existing development, but need not include other data required in paragraphs 1 through 12 above.
- B. Within 35 days after the submission of a complete site plan, the Site Plan Committee shall approve, approve with conditions, or disapprove the site plan. Failure to render a decision within the 35 day period shall be deemed approval of the plan as submitted. In approving the plan, the committee shall find that all provisions of this ordinance are complied with; and that all buildings and facilities, access points, parking and loading facilities, signs, lighting and walls or fences are so arranged that traffic congestion is avoided and pedestrian and vehicular safety and welfare are protected, and that adverse impacts on surrounding property will be minimized. The decision of the committee shall be forwarded to the City Council.
- (4) APPEAL. The applicant or any interested person may appeal a decision of the Site Plan Committee to the City Council, in accordance with the procedures of Section 9.2.
- (5) REVISIONS. Revisions made by the applicant to an approved site plan shall be made pursuant to the procedures set forth in this section. Where required site plan approval has been granted, it shall be unlawful for any person to cause or permit the proposed construction, alteration, improvement, or use in any manner except in complete and strict compliance with the approved site plan.

SECTION 4.8 - GENERAL EXCEPTIONS TO LOT SIZE REQUIREMENTS. If, at the time of passage of this ordinance, a lot or the aggregate of contiguous lots or land parcels held in a single ownership has an area or dimension which does not meet the lot size requirements of the zone in which the property is located, the lot or aggregate

holdings may be occupied by an use permitted outright in the zone subject to the other requirements of the zone and providing, if there is an area deficiency, residential use shall be limited to a single-family or duplex residence.

SECTION 4.9 - MOVING BUILDINGS. No structure shall be moved within or into the City of Madras without conforming to this ordinance, to the building code and other applicable ordinances of the City of Madras. A moving permit shall be obtained from the City of Madras. The cost of said permit shall be \$100.00.

- (1) REQUIREMENTS. Within six months after a building has been moved onto a lot within the City of Madras, the building must have been placed upon its foundation in accordance with the building code; all septic tanks, sewers drywells, and sanitation facilities must have been completed to the satisfaction of the City Building Inspector, the building must have been so remodeled and redesigned as to meet requirements of the building code of the City of Madras; all scrap lumber, trash, debris, and other materials including timbers and equipment for the moving of said building must have been removed from the premises; and all holes, underground structures and excavations must be filled to the rough grade level as indicated in the building permit. No such building shall be occupied until all the above requirements have been met.

While moving is in progress, the owner of said building must at all times protect the same from damage and protect passersby and citizens of the City from injury due to condition of the building or property to or from which the same was moved. No building shall be left on the City streets of the City of Madras after the sun shall have set unless the owner thereof, with permission of the City Council, shall provide flares and a night watchman for protection of the citizens using said streets.

- (2) CLEAN-UP REQUIRED. Within ten days after a building is moved, the lot from which the building was moved must be cleared of all debris including pipe, concrete, scrap lumber and other materials which will cause a health hazard or nuisance or constitute a danger; all basements, abandoned septic tanks and wells must be filled with earth, except that upon written application made to the City Planning Commission and the City Council may give permission for useful basements or other structures to remain; provided, the same are fenced or left open only for such period of time as the Council may allow.

SECTION 4.10 - ILLEGAL OCCUPANCY. Any use of a premises or building which deviates from or violates any of the provisions of this ordinance shall be termed an illegal occupancy and the persons

responsible therefore shall be subject to the penalties herein provided.

SECTION 4.11 - VISION CLEARANCE. Vision clearance shall be provided in residential zones R-1 and R-2, with the following distances establishing the size of the vision clearance area:

- (1) The minimum distance shall be 12 feet at intersections comprising two streets or one street and a railroad right-of-way.
- (2) At intersections including an alley, the minimum distance shall be 8 feet.

SECTION 4.12 - SIGNS. Signs shall be required to meet the following standards.

(1) Residential Zones.

- A. Non-illuminated signs not exceeding 8 square feet in area, pertaining to the leasing, rental, or sale of building or premises.
- B. Signs on nonconforming uses, provided that such signs are erected flat against the building or painted on the side thereof, and not exceeding 6 square feet in area.
- C. Home occupations shall have no window display and no other sign other than one not exceeding 2 square feet in area and bearing only the name and occupation of the occupant.
- D. One bulletin board, non-illuminated or indirectly illuminated, but not exceeding 20 square feet in area; plus identification signs, non-illuminated or indirectly illuminated but non-flashing, but not exceeding 12 square feet in total area may be used to designate a conditional use other than a home occupation.
- E. All other signs, sign boards, and billboards are prohibited.

- (2) Commercial, Light and Heavy Industrial Zones. Advertising signs as permitted by the City of Madras Building and Sign Code shall be permitted.

ARTICLE 5: EXCEPTIONS AND VARIANCES

SECTION 5.1 - NON-CONFORMING USES.

- (1) A non-conforming use or structure may be continued but may not be altered or expanded. The expansion of a non-conforming use to a portion of a structure which was arranged or designed for the non-conforming use at the time of passage of this ordinance is not an enlargement or expansion of a non-conforming use. A non-conforming structure which conforms with respect to use may be altered or expanded if the alteration or expansion does not cause the structure to deviate further from the standards of this ordinance.
- (2) If a non-conforming use is discontinued for a period of one year, further use of the property shall conform to this ordinance.
- (3) If a non-conforming use is replaced by another use, the new use shall conform to this ordinance.
- (4) If a non-conforming structure or a structure containing a non-conforming use is destroyed by any cause to an extent exceeding 60 percent of its fair market value as indicated by the records of the county assessor, a future structure or use on the site shall conform to this ordinance.
- (5) Nothing contained in this ordinance shall require any change in the plans, construction, alteration or designated use of a structure for which a permit has been issued by the City and construction has commenced prior to the adoption of this ordinance, provided the structure, if non-conforming or intended for a non-conforming use, is completed and in use within two years from the time the permit is issued.

SECTION 5.2 - GENERAL EXCEPTIONS TO YARD REQUIREMENTS. The following exceptions to yard requirements are authorized for a lot in any zone except a corner lot. Any front yard need not exceed:

- (1) The average of the front yards of abutting lots which have buildings within 100 feet of the lot.
- (2) The average of the front yard of a single abutting lot which has a building within 100 feet and the required depth for that zone.

SECTION 5.3 - GENERAL EXCEPTIONS TO BUILDING HEIGHT LIMITATIONS.

Vertical projections such as chimneys, spires, domes, elevator shaft housing, towers, aerials, flagpoles and similar objects not used for human occupancy are not subject to the building height limitations of this ordinance.

SECTION 5.4 - PROJECTIONS FROM BUILDINGS. Architectural

features such as cornices, eaves, canopies, sunshades, gutters, chimneys and flues shall not project more than 24 inches into a required yard.

SECTION 5.5 - AUTHORIZATION TO GRANT OR DENY VARIANCES. The

Planning Commission may authorize a variance from the requirements of this ordinance where it can be shown that owing to special and unusual circumstances related to a specific lot, strict application of the ordinance would cause an undue or unnecessary hardship. No variance shall be granted to allow the use of property for a purpose not authorized within the zone in which the proposed use would be located. In granting a variance, the Planning Commission may attach conditions which it finds necessary to protect the best interests of the surrounding property or vicinity and otherwise achieve the purposes of this ordinance.

SECTION 5.6 - CIRCUMSTANCES FOR GRANTING A VARIANCE. A

variance may be granted only in the event that all of the following circumstances exist.

- (1) Exceptional or extraordinary circumstances apply to the property which do not apply generally to other properties in the same zone or vicinity, and result from lot size or shape, topography or other circumstances over which the owners of property since enactment of this ordinance have had no control.
- (2) The variance is necessary for the preservation of a property right of the applicant substantially the same as owners of other property in the same zone or vicinity possess.
- (3) The variance would not be materially detrimental to the purposes of this ordinance, or to property in the same zone or vicinity in which the property is located, or otherwise conflict with the objectives of any City plan or policy.
- (4) The variance requested is the minimum variance which would alleviate the hardship.

SECTION 5.7 - PROCEDURE FOR TAKING ACTION ON A VARIANCE APPLI-
CATION. The procedure for taking action on an application for a
variance shall be as follows:

- (1) A property owner may initiate a request for a variance by filing an application with the City Recorder, using forms prescribed pursuant to Section 9.3.
- (2) Before the Planning Commission may act on a variance application, it shall hold a public hearing thereon, following procedure as established in Section 9.5.
- (3) The decision of the Planning Commission shall then be brought before the City Council, along with a summary of the Planning Commission's proceedings and findings of fact, at the second regular Council meeting following said Planning Commission decision, except that in no event shall the decision be brought to the City Council until after the time for appeal has elapsed.

The City Council shall then review the decision of the Planning Commission on the record without hearing further evidence. It shall either affirm the decision of the Planning Commission in total, at which time the decision shall be final, or may affirm the decision and modify any conditions of approval made by the Planning Commission, or shall set the entire matter for hearing de novo before the City Council. Should the City Council affirm the decision of the Planning Commission but modify any conditions thereof, the decision of modification may be appealed to the City Council by any interested party within 15 days of the date of such decision, at which time the City Council shall set a public hearing on the modification of conditions only.

- (4) Within five (5) days after a decision has been rendered with reference to a variance application, the City Recorder shall provide the applicant with written notice of the decision of the Commission or the City Council.

SECTION 5.8 - TIME LIMIT ON A PERMIT FOR A VARIANCE. Authori-
zation of a variance shall be void after one year unless substantial
construction has taken place. However, the Planning Commission may
extend authorization for an additional period not to exceed one year,
on request.

SECTION 5.9 - LIMITATION ON REAPPLICATIONS. No application
of a property owner for a variance shall be considered by the Planning
Commission within a one-year period immediately following a previous
denial of such request.

ARTICLE 6: CONDITIONAL USES

SECTION 6.1 - AUTHORIZATION TO GRANT OR DENY CONDITIONAL USES.

- (1) Conditional uses listed in this ordinance may be permitted enlarged or otherwise altered upon authorization by the Planning Commission in accordance with the standards and conditions in this Article. In permitting a conditional use or the modification of a conditional use, the Planning Commission may impose in addition to those standards and requirements expressly specified by the ordinance, any additional conditions the Planning Commission considers necessary to protect the best interests of the surrounding property or the City as a whole.
- (2) Standards for granting conditional uses are:
 - A. The proposal will be consistent with the Comprehensive Plan and the objectives of the Zoning Ordinance and other applicable policies of the City.
 - B. Taking into account location, size, design and operation characteristics, the proposal will have a minimal adverse impact on the (a) livability, (b) value, and (c) appropriate development of abutting properties and the surrounding area compared to the impact of development that is permitted outright.
 - C. The location and design of the site and structures for the proposal will be as attractive as the nature of the use and its setting warrants.
 - D. The proposal will preserve assets of particular interest to the community.
 - E. The applicant has a bona fide intent and capability to develop and use the land as proposed and has some appropriate purpose for submitting the proposal and is not motivated solely by such purposes as the alteration of property values for speculative purposes.
- (3) In permitting a new conditional use or the alteration of an existing conditional use, the Planning Commission may impose, in addition to those standards and requirements expressly specified by this ordinance, additional conditions which the Planning Commission considers necessary to protect the best interests of the surrounding area or the City as a whole. These conditions may include but are not limited to the following:

- A. Increasing the required lot size or yard dimension.
 - B. Limiting the height, size, or location of buildings.
 - C. Controlling the location and number of vehicle access points.
 - D. Increasing the street width.
 - E. Increasing the number of required off-street parking spaces.
 - F. Limiting the number, size, location, and lighting of signs.
 - G. Required diking, fencing, screening, landscaping, or other facilities to protect adjacent or nearby property.
 - H. Designating sites for open space.
- (4) In the case of a use existing prior to the effective date of this ordinance and classified in this ordinance as a conditional use, any change in the use or in lot area, or an alteration of structure shall conform with the requirements for conditional use.

SECTION 6.2 - PROCEDURE FOR TAKING ACTION ON A CONDITIONAL USE APPLICATION. The procedure for taking action on a conditional use application shall be as follows:

- (1) A property owner may initiate a request for a conditional use by filing an application with the City Recorder.
- (2) Before the Planning Commission may act on a conditional use application, it shall hold a public hearing thereon, following procedure as established in Section 9.5.
- (3) The decision of the Planning Commission shall then be brought before the City Council, along with a summary of the Planning Commission's proceedings and findings of fact, at the second regular Council meeting following said Planning Commission decision, except that in no event shall the decision be brought to the City Council until after the time for appeal has elapsed.

The City Council shall then review the decision of the Planning Commission on the record without hearing further evidence. It shall either affirm the decision of the Planning Commission in total, at which time the decision shall be final, or may affirm the decision and modify any conditions of approval made by the Planning Commission, or shall set the entire matter for hearing de novo before the City Council. Should the City Council affirm the

decision of the Planning Commission but modify any conditions thereof, the decision of modification may be appealed to the City Council by any interested party within 15 days of the date of such decision, at which time the City Council shall set a public hearing on the modification of conditions only.

- (4) Within five (5) days after a decision has been rendered, with reference to a conditional use application, the City Recorder shall provide the applicant with written notice of the decision of the Commission or the City Council.

SECTION 6.3 - TIME LIMIT ON A PERMIT FOR A CONDITIONAL USE.

Authorization of a conditional use shall be void after one year or such lesser time as the authorization may specify unless substantial construction has taken place. However, the Planning Commission may extend authorization for an additional period not to exceed one year, on request.

SECTION 6.4 - LIMITATION ON REAPPLICATIONS. No application of a property owner for a conditional use shall be considered by the Planning Commission within a one-year period immediately following a previous denial of such request.

ARTICLE 7: RESERVED FOR PLANNED UNIT DEVELOPMENT

ARTICLE 8: AMENDMENTS

SECTION 8.1 - AMENDMENTS TO TEXT OF ORDINANCE. Amendments to the text of this ordinance may be initiated by the City Council or the City Planning Commission.

SECTION 8.2 - AMENDMENT TO ZONING MAP. Amendment to the Zoning Map may be initiated by the Planning Commission, City Council, or by application of the property owner. If the application is for a change of a quasi-judicial nature, the Planning Commission shall conduct a public hearing on the proposed amendment at its earliest practical meeting date after the proposal is submitted and shall follow the adopted rules for quasi-judicial hearings. Within 60 days after the hearing, the Planning Commission shall render a decision. The decision of the Planning Commission shall then be brought before the City Council along with a summary of the Planning Commission's proceedings and findings of fact, at the second regular Council meeting following said Planning Commission decision, except that in no event shall the decision be brought to the City Council until after the time for appeal has elapsed. The City Council shall then review the decision of the Planning Commission on the record without hearing further evidence. It shall either affirm the decision of the Planning Commission or set the matter for hearing de novo before the City Council. The City Council must take final action on an amendment request. Amendments shall be made by ordinance.

SECTION 8.3 - RECORD OF AMENDMENTS. The City Recorder shall maintain records of amendments to the text and zoning map of the ordinance.

SECTION 8.4 - LIMITATION ON REAPPLICATIONS. No application of a property owner for an amendment to a zoning boundary shall be considered by the Planning Commission within a one year period immediately following a previous denial of such request.

ARTICLE 9: ADMINISTRATIVE PROVISIONS

SECTION 9.1 - BUILDING PERMITS. No permit shall be issued by the building official for the construction, reconstruction, alteration, or change of use of a structure or lot that does not conform to the requirements of this ordinance.

SECTION 9.2 - APPEALS.

- (1) An appeal from a ruling of a city administrative officer regarding a requirement of the ordinance may be made only to the Planning Commission.
- (2) Any aggrieved party may appeal an action or ruling of the Planning Commission pursuant to this ordinance within 15 days after the Planning Commission has rendered its decision. Written notice of the appeal shall be filed with the City Recorder. If the appeal is not filed within the 15 day period, the decision of the Planning Commission shall be final. If an appeal is filed, the City Council shall receive the decision and findings from the Planning Commission and shall conduct a public hearing on the appeal.

SECTION 9.3 - FORM OF PETITIONS, APPLICATIONS AND APPEALS.

Petitions, applications and appeals provided for in this ordinance shall be made on forms prescribed by the City. Applications shall be accompanied by plans and specifications, drawn to scale, showing the actual shape and dimensions of the lot to be built upon; the sizes and locations on the lot of existing and proposed structures; the intended use of each structure; the number of families, if any, to be accompanied thereon; the relationship of the property to the surrounding area; and such other information as is needed to determine conformance with this ordinance.

SECTION 9.4 - FILING FEES. The following fees shall be paid to the City Recorder upon filing of an application. Such fees shall not be refundable. These fees may be changed by City Council resolution.

- (1) Amendment proposed by property owner. \$150.00
- (2) Conditional Use request \$100.00
- (3) Variance request. \$ 50.00

SECTION 9.5 - PUBLIC HEARINGS. (Quasi-judicial)

- (1) Each notice of hearing authorized by this ordinance shall be published in a newspaper of general circulation in the City at least 10 days prior to the date of hearing.
- (2) In addition, a notice of hearing on a conditional use, a variance or an amendment to a zone boundary shall be mailed to owners of property within 250 feet of the property for which the variance, conditional use or zone boundary amendment has been requested. The notice of hearing shall be mailed at least 10 days prior to the date of the hearing. If a proposed zone boundary amendment has been initiated by the Planning Commission or City Council and is declared by the City Council to be a major reclassification, the mailing of individual notice is not required but such additional means of informing the public as may be specified by the Council shall be observed.
- (3) Failure of a person to receive the notice prescribed in this section shall not impair the validity of the hearing.
- (4) The Planning Commission and the City Council may recess a hearing in order to obtain additional information or to serve further notice upon other property owners or persons it decides may be interested in the proposal being considered. Upon recessing, the time and date when the hearing is to be resumed shall be announced.

SECTION 9.6 - AUTHORIZATION OF SIMILAR USES. The Planning Commission may permit in a particular zone a use not listed in this ordinance, provided the use is of the same general type as the uses permitted there by this ordinance. However, this section does not authorize the inclusion in a zone where it is not listed of a use specifically listed in another zone or which is of the same general type and is similar to a use specifically listed in another zone.

ARTICLE 10: GENERAL PROVISIONS

SECTION 10.1 - INTERPRETATION. Where a provision of this ordinance is less restrictive than another ordinance or requirement of the City, the provision or requirement which is more restrictive shall govern.

SECTION 10.2 - SEVERABILITY. The provisions of this ordinance are severable. If a section, clause or phrase of this ordinance is adjudged by a court of competent jurisdiction to be invalid, the decision shall not affect the validity of the remaining portions of this ordinance.

SECTION 10.3 - ABATEMENT AND PENALTY.

- (1) Violation of any provision of this ordinance or of any amendment of this ordinance is punishable upon conviction by a fine of not more than \$100.00 for each day of violation where the offense is a continuing offense, but such fine may not exceed \$1,000.00.
- (2) In case a building or other structure is or is proposed to be located, constructed, maintained, repaired, altered, or used, or land is or is proposed to be used, in violation of this ordinance, the building or land thus in violation shall constitute a nuisance and the City may, as an alternative to other remedies that are legally available for enforcing this ordinance, institute injunction, mandamus, abatement or other appropriate proceedings to prevent, enjoin temporarily or permanently, abate or remove the unlawful location, construction, maintenance, repair, alteration or use.

SECTION 10.4 - REPEALING CLAUSE. Ordinances Nos. 252, 304, 309, 310, 356 and 373 and all other ordinances or parts of ordinances in conflict herewith are hereby repealed as of the effective date of this ordinance.

SECTION 10.5 - EMERGENCY CLAUSE. The city council of the City of Madras having reviewed the present zoning ordinance of the City of Madras and the Comprehensive Plan of the City of Madras and the need for enactment of ordinances to regulate land use within the city hereby determines that this ordinance is necessary for the immediate preservation of the public peace, health and safety of the citizens of the City of Madras, and an emergency is hereby declared to exist, and this ordinance shall become in full force and effect from and after the date it is enacted and signed by the Mayor.

Passed and approved by the Common Council of the City of Madras, this 27th day of JUNE, 1979.

AYES: 4

NAYS: 0

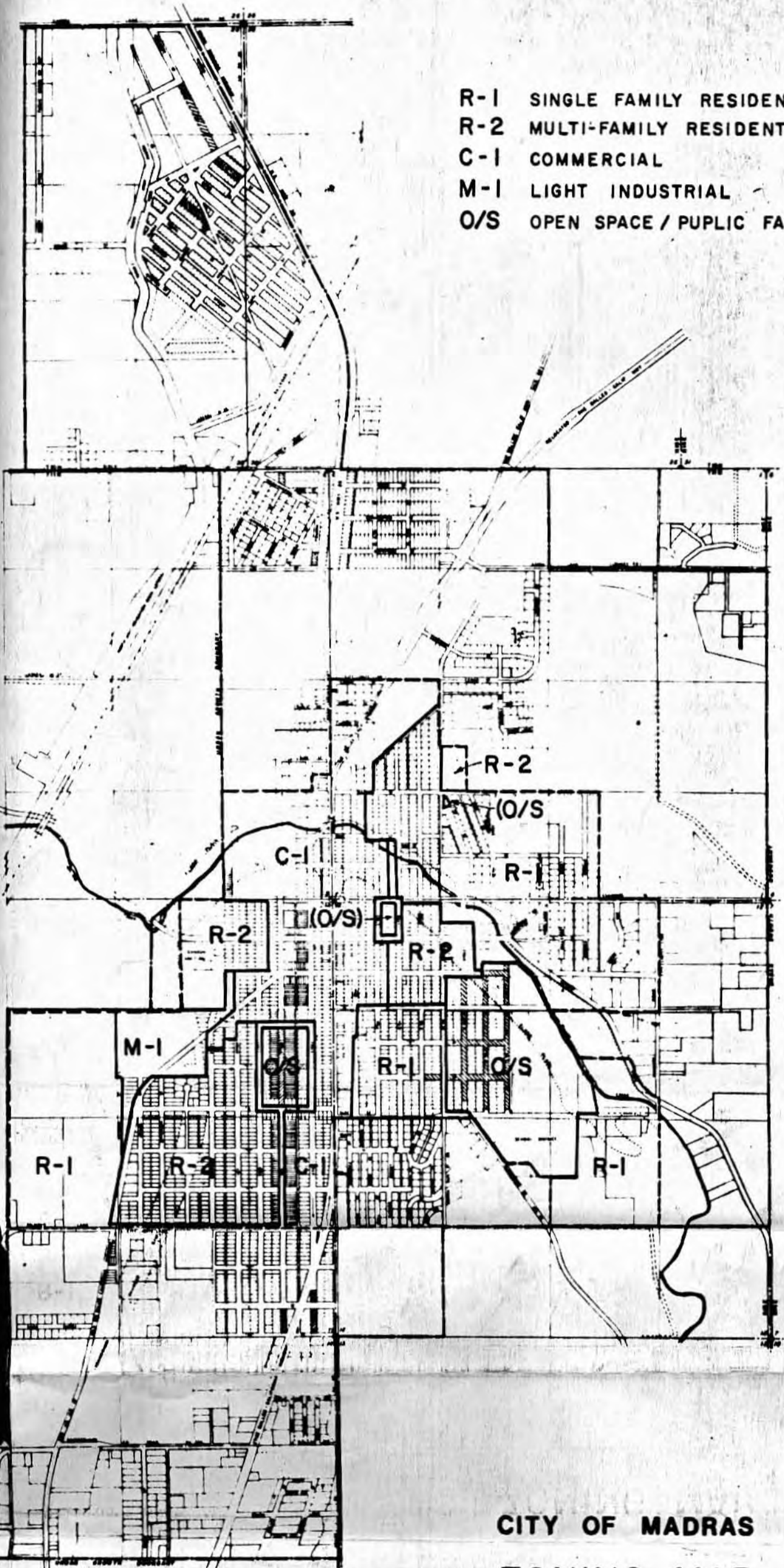
Approved by the Mayor this 28th day of JUNE, 1979.

Raymond Murray
MAYOR

ATTEST:

AP Miller
City Recorder

- R-1 SINGLE FAMILY RESIDENT
- R-2 MULTI-FAMILY RESIDENT
- C-1 COMMERCIAL
- M-1 LIGHT INDUSTRIAL
- O/S OPEN SPACE / PUBLIC FACILITIES



**CITY OF MADRAS
ZONING MAP**



The first part of the report deals with the general situation of the country and the progress of the work during the year. It is followed by a detailed account of the various projects and the results achieved. The report concludes with a summary of the work done and the plans for the future.

The work has been carried out in accordance with the programme of work approved by the Council of the League of Nations. It has been carried out in a spirit of cooperation and in full accordance with the principles of the League of Nations.

The results of the work have been most satisfactory and it is hoped that they will be of great value to the League of Nations and to the world as a whole.

The work has been carried out in accordance with the programme of work approved by the Council of the League of Nations. It has been carried out in a spirit of cooperation and in full accordance with the principles of the League of Nations.

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The results of the work have been most satisfactory and it is hoped that they will be of great value to the League of Nations and to the world as a whole.

ORDINANCE NO. 378

SUBDIVISION ORDINANCE
FOR THE
CITY OF MADRAS, OREGON

AN ORDINANCE PRESCRIBING REGULATIONS GOVERNING THE
SUBDIVISION OF LAND, FOR THE PREPARATION,
PROCEDURES AND APPROVAL OF MAJOR AND MINOR PARTITIONS,
SUBDIVISION PLATS AND IMPROVEMENTS, IN THE
INCORPORATED AREAS IN THE CITY OF MADRAS, OREGON,
AND DECLARING AN EMERGENCY.

The City of Madras ordains as follows:

ARTICLE I: PURPOSES, ADMINISTRATION, GENERAL
PROVISIONS, AND DEFINITIONS

SECTION 101 - ADOPTION. There is hereby adopted, as provided herein, a subdivision ordinance for the City of Madras, a municipal corporation of the State of Oregon.

SECTION 102 - PURPOSES AND OBJECTIVES. The subdivision ordinance is adopted to preserve, protect, and promote the public health, safety, convenience, prosperity, and general welfare. More specifically, the subdivision ordinance is adopted in order to achieve the following objectives:

- A. To aid in the implementation of the Comprehensive Plan of the City of Madras, as adopted by the City Council on June 20, 1979.
- B. To accommodate new development in a manner which will preserve and enhance the City's living environment and create new beauty through skilled subdivision design.
- C. To provide for water supply, sewage disposal, storm drainage and other utilities and facilities which may be required by conditions of an urban environment.

D. To provide streets of adequate capacity for anticipated traffic which would utilize them, and to insure their design to promote safe vehicular and pedestrian traffic circulation system.

E. To establish procedures for partitioning and subdividing lands within the City of Madras.

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SECTION 103 - SHORT TITLE AND REVISION POLICY. This ordinance shall be known as the Subdivision Ordinance of the City of Madras and shall be reviewed on a biennial basis, and if necessary revised to keep it consistent with legislative changes or the changing needs and desires of the citizens of the City.

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SECTION 104 - ADVISORY ROLE OF THE CITY PLANNING COMMISSION. The Planning Commission of the City of Madras is hereby charged with the duty of making investigations and reports on the design and improvements of proposed subdivisions. The Commission shall have such additional powers and duties with respect to subdivisions, the maps thereof, and the procedure relating thereto, as are prescribed by Chapter 92 of the Oregon Revised Statutes, by this ordinance, or as Council may hereafter direct.

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SECTION 105 - RELATIONSHIP TO THE COMPREHENSIVE PLAN. A subdivision plat shall conform to the policies of the Comprehensive Land Use Plan and elements thereof as adopted by the City Council, with respect to the type and intensity of land use, population densities and distributions, locations and sizes of public areas, rights-of-way and improvement of streets.

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SECTION 106 - RELATIONSHIP TO THE COMPREHENSIVE PLAN MAP. A subdivision plat shall conform with plans for the location, widening, or extension of streets, highways and for other projects of a similar nature as shown on the Comprehensive Plan Map, as adopted by the City Council.

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SECTION 107 - RELATIONSHIP TO ZONING ORDINANCE. A subdivision plat shall conform in all respects with applicable regulations of the zoning ordinance, as adopted by the City Council.

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SECTION 108 - CONSTRUCTION AND DEFINITIONS. The definitions of words in this ordinance, and the construction of the words in provisions thereof, shall be as follows:

A. Construction. The following rules of construction shall apply unless inconsistent with the plain meaning of the context of this ordinance.

- (1) Tense. Words used in the present tense shall include the future tense.
 - (2) Number. Words used in the singular shall include the plural, and words used in the plural shall include the singular.
 - (3) Shall and May. The word "shall" is mandatory. The word "may" is permissive.
 - (4) Gender. The masculine shall include the feminine and neuter.
 - (5) Headings. In the event there is any conflict or inconsistency between the heading of an article, section, or paragraph of this ordinance and the context thereof, the said heading shall not be deemed to affect the scope, meaning, or intent of such context.
- B. General Terminology. The word "City" shall mean the City of Madras, Oregon. The word "Council" shall mean the City Council of the City of Madras, Oregon. The word "Commission" shall mean the Planning Commission duly appointed by the City Council.
- C. Definitions. For the purposes of this ordinance, certain words and terms used herein are defined as follows:
- (1) Access or Access Way. The place, means, or way by which pedestrians and vehicles shall have safe, adequate, and usable ingress and egress to a property.
 - (2) Alley. A public way, permanently dedicated or reserved as a secondary means of access to abutting property.
 - (3) Block. A contiguous series of lots bounded on all sides by streets, railroad rights-of-way, or undivided land.
 - (4) Building Line. A dashed line on a plat restricting the location of buildings or structures, or that distance as prescribed by the zoning ordinance, when applicable.
 - (5) Comprehensive Plan. The plan adopted by the Commission and Council providing the objectives and policy guidelines for the growth and development of the City, including amendments thereto.
 - (6) Contiguous Land. Two or more parcels or units of land including water under a single ownership which

are not separated by an intervening parcel of land under separate ownership including limited access right-of-way which would deny access between the two parcels under single ownership.

- (7) Curb Line. The line dividing the roadway from a planting strip or footway.
- (8) Design. The design of any street or alley, alignments, grade or width, alignment of width of easements and rights-of-way for drainage or irrigation purposes and sanitary facilities.
- (9) Easement. A grant of the right to use a strip of land for specific purposes.
- (10) Future Street. A proposed right-of-way as may be designed by the Planning Commission or other such agency, or authority as provided for herein, which street is necessary for the future subdivision of property shown on the subdivision plats and/or maps, but that the present dedication and construction of such street is not warranted.
- (11) Legal Description. The method by which the outer boundaries of a site or premises and all appurtenant easements and applicable restrictions or covenants are described or established by reference to established points, monuments, etc.
- (12) Lot. A single parcel of land for which a legal description is filed on record or the boundaries of which are shown on the subdivision plat filed in the office of the Jefferson County Clerk. The term "lot" shall include a part of a single parcel of land when such part is used as a separate lot for all purposes and under all requirements of this ordinance; except for the parcel of land on which condominium structures are placed, the term "lot" does not include condominium as used under ORS 91.505 through 91.675 "Unit Ownership Law".
- (13) Lot Area. The total horizontal net area within the lot lines of a lot.

- (14) Lot, Corner. A lot situated at the intersection of two (2) or more streets.
- (15) Lot Depth. The depth of a lot shall be the horizontal length of a straight line connecting the bisecting points of the front and rear lot lines.
- (16) Lot, Double Frontage. An interior lot having frontage on and with access on two (2) parallel or approximately parallel streets.
- (17) Lot, Flag. A lot which has the buildable area located away from the public right-of-way and is connected to same through a corridor of minimum or less frontage.
- (18) Lot, Interior. A lot other than a corner lot or reverse corner lot.
- (19) Lot, Key. The first lot to the rear of a reversed corner whether or not separated by an alley.
- (20) Lot Line, Front. In the case of an interior lot, a line separating the lot from the street. In the case of a corner lot, the line separating the narrowest street frontage of the lot from the street.
- (21) Lot Line, Rear. A lot line which is opposite and most distant from the front lot line.
- (22) Lot Line, Side. Any lot boundary line not a front line or a rear lot line.
- (23) Lot, Reverse Corner. A corner lot which rears upon the side yard of another lot.
- (24) Lot, Width. The average horizontal distance between the side lot lines, measured at right angles to the lot depth at a point midway between the front and rear lines.
- (25) Major Partition. To partition a parcel of land into two (2) or three (3) parcels which includes the creation of a road or street.
- (26) Minor Partition. To partition a parcel of land into two (2) or three (3) parcels that does not include the creation of a road or street.
- (27) Minimum Road Standard. That standard which must be met by a road before it may be used in a subdivision or partition or is accepted for dedication to the City.

- (28) Nonconforming Structure or Use. A lawful existing structure or use at the time this ordinance or any amendment thereto becomes effective which does not conform to the requirements of the zone in which it is now located.
- (29) Owner. The owner of record of real property as shown on tax rolls of Jefferson County or deed records of Jefferson County, or person who is purchasing property under contract.
- (30) Official Map. The Comprehensive Plan Map as adopted by the Planning Commission and City Council for the City of Madras.
- (31) Partition Land. To divide an area or tract of land into two (2) or three (3) parcels when such area or tract exists as a unit of contiguous land under a single ownership. "Partition Land" does not include divisions of land resulting from lien foreclosures, division of land resulting from creation of cemetery lots; and "partition" does not include any adjustment of a lot line by relocation of a common boundary where an additional parcel is not created and where the existing parcel reduced in size by the adjustment is not reduced below the minimum lot or parcel size established by applicable zoning ordinance.
- "Partition land" does not include the sale of a lot in a recorded subdivision, even though the lot may have been acquired prior to the sale with other contiguous lots or property by a single owner. "Partition land" does not include contiguous tax lots under a single ownership which meet the minimum lot size requirements of the Zoning Ordinance and meet the minimum criteria of Article III of this Ordinance.
- (32) Parking Space. A rectangular area not less than 20 feet long and 10 feet wide, together with maneuvering and access space required for a standard American automobile to park within the rectangle.
- (33) Parcel. A tract of land as created by a partitioning of land.
- (34) Pedestrian Way. A right-of-way for pedestrian traffic.
- (35) Person. Person, unless context indicates otherwise, includes an individual, partnership, corporation, both public and private, association and club.

- (36) Plat. A map, diagram, drawing, or replat containing all descriptions, locations, specifications, dedications, provisions, and information concerning a subdivision as specified by this ordinance.
- (37) Redevelopment Plan. A plan which portrays the future redivision of lots created by the initial subdivision which utilized large lots to provide area for subsurface sewage disposal. The purpose of the redevelopment plan is to allow property owners a simple mechanism to redivide large lots into more economical units at such time that a wastewater collection system is available. The lots proposed by the Redevelopment Plan must meet applicable lot size standards as provided by the Zoning Ordinance.
- (38) Right-of-Way. The area between the boundary lines of an alley, easement, street or highway.
- (39) Roadway. The portions of the right-of-way of a street or highway developed for vehicular traffic.
- (40) Sidewalk. A pedestrian walkway with permanent surfacing.
- (41) Street. The entire area between the right-of-way lines of any public way other than an alley used or intended to be used for vehicular traffic, including public ways designated as roads, highways, lanes, places, circles, avenues, or by other similar designations.
- (42) Structure. That which is built or constructed. An edifice or building of any kind or any piece of work artificially built up or composed or parts wired together in some manner and which requires location on the ground or which is attached to something having a location on the ground.
- (43) Subdivide Land. To divide an area or tract of land into four (4) or more lots when such area or tract of land exists as a unit or contiguous units of land under a single ownership at the time of adoption of this ordinance. "Subdivide land" does not include the sale of a lot in a recorded subdivision, even though the lot may have been acquired prior to the sale with other contiguous lots or property by a single owner. "Subdivide land" does not include contiguous tax lots under a single ownership which meets the minimum criteria of Article III of this Ordinance.
- (44) Subdivider. Any person who undertakes the subdivision of an area of land for the purpose of transfer of ownership or development.
- (45) Subdivision. An act of subdividing land or an area or tract of land, subdivided as defined in this section.

ARTICLE II: GENERAL PROCEDURAL REQUIREMENTS FOR
ALL SUBDIVISIONS, MAJOR PARTITIONS,
AND MINOR PARTITIONS

SECTION 201 - POWERS OF THE PLANNING COMMISSION. Subject to final review and approval by the Council, the Commission shall undertake the initial review of tentative and final subdivision and partitioning maps, and other such duties as the Council may from time to time direct or which is otherwise specified by law or ordinance.

SECTION 202 - SUBDIVISIONS AND MAJOR PARTITIONS. All subdivisions and major partitions as defined in this ordinance shall require a public hearing to be conducted by the Commission of the City of Madras. Notification procedures shall be the same as outlined in the Madras Zoning Ordinance.

SECTION 203 - APPEAL TO COUNCIL AUTHORIZED. Appeal may be made to Council from any decisions, determination, or requirement of the Commission. The appeal and hearing procedure shall be as follows:

- A. Appeal may be made to the Council from any order, decision, or requirement of the Commission. Written notice of the appeal must be filed with the city recorder within 10 days after the order is rendered. The notice of appeal shall state the nature of the decision or requirement and the grounds for the appeal.
- B. The Council, following the filing of an appeal, shall set a time for a hearing on the appeal and shall give notice to the Commission and applicant. The hearing may, for good cause, be continued by the Council. Following the hearing, the Council may over-rule or modify the decision or requirement made by the Commission, if the decision of the Council complies with the intent and purpose of these requirements. The disposition of the appeal shall be final.

SECTION 204 - MINOR PARTITIONS. Land partitioning other than major partition or subdivision shall be approved under the following procedure:

- A. There shall be submitted to the city recorder not less than fifteen (15) days prior to the Commission meeting at which consideration of the plan is desired, sufficient information from which a tentative plan will be prepared to show the following:

- (1) The date, northpoint, scale and good and sufficient description to define the location and boundaries of the parcel to be partitioned.
 - (2) Name and address of the record owner or owners.
 - (3) Approximate acreage of the parcel under a single ownership or, if more than one ownership is involved, the total contiguous acreage of all owners of land directly involved in the minor partitioning.
 - (4) For land adjacent to and within the parcel to be partitioned show locations, names, and existing widths of all streets and easements of way; location, width and purpose of all other existing easements; and location and size of sewer and water lines, and drainage ways.
 - (5) Outline and location of existing buildings to remain in place.
 - (6) Lot layout showing size and relationship to existing or proposed streets and utility easements.
 - (7) Such additional information as required by Commission procedures.
- B. Minor partitions may be approved after review by the Commission or such person as may be appointed by Council.
- C. If the Commission accepts the plan for a minor partition, one (1) copy of the plan map shall be returned to the applicant. The applicant shall record the map with the county clerk. Acceptance of a plan map for a minor partition by the Commission shall expire and be null and void thirty (30) days from the date of acceptance, unless a signed plan map is recorded within said time.

SECTION 205 - TENTATIVE PLANS FOR SUBDIVISION AND MAJOR PARTITIONS.

- A. Initial Submission. Ten copies of a tentative map and a statement of any proposed subdivision shall be submitted to the city recorder at least 15 days prior to the meeting of the Commission at which consideration is desired, together with a fee of \$100.00 plus \$2.00 for each additional lot over 25. The minimum fee is \$100.00.
- B. Preliminary Review.
- (1) The city recorder shall transmit one copy of the tentative map to the city engineer, and additional copies

to the city departments and other public officials as he deems necessary. Each city department, upon receipt of a copy of the tentative map, shall examine the map for conformance with requirements coming within the authoritative scope of the department; and, within seven (7) days after receipt thereof, shall make a written report to the city recorder. The city recorder shall prepare a report on the plat for submission to the Commission. The report shall include information on zoning in the area and on the location in the adjoining streets and property of existing sewers and water mains, culverts, and drain pipes, electric conduits, or lines proposed to be used on the property to be subdivided, and invert elevations of sewers at points of proposed connections together with any other data as appears pertinent to the Commission's review of the plat.

(2) Copies of the tentative map shall be submitted to the following additional officials, and they will be given at least seven (7) days to review the plan and submit comments:

(a) The county surveyor and the county assessor

(b) The irrigation district, if the property is within the district.

(c) The State Highway Department, if the property is adjacent to a state highway.

(d) The school district, if there is indication of school district interest in property development in the area.

C. Tentative Map Scale. Tentative maps shall be to a scale of one (1) inch equals 100 feet or better; except tracts over 100 acres, which may be to a scale of one (1) inch equals 200 feet, and shall be clearly and legibly reproduced.

D. Information on Tentative Map. The tentative map shall contain the following information:

(1) The proposed subdivision's name, date, north point, scale, and sufficient description to define the location and boundaries of the proposed subdivision. The proposed subdivision name may not conflict with the name of an existing subdivision.

(2) Name and address of record owner or owners of the proposed subdivision.

(3) Name and address of the subdivider.

- (4) Name, business address, and number of the licensed surveyor who prepared the map of the proposed subdivision.
- (5) The locations, names, widths, approximate radii of curves, and grades of all existing and proposed streets and easements in the proposed subdivision and along the boundaries thereof, and the names of adjoining platted subdivisions and portions of the subdivisions as shall be necessary to show the alignment of the streets and alleys therein with the streets and alleys in the proposed subdivision.
- (6) Names of the record owners of all contiguous land.
- (7) The approximate location and character of all existing and proposed easements and public utility facilities, except water and sewer lines in the subdivision or adjacent thereto.
- (8) Approximate lot layout and approximate dimensions of each lot and each to be numbered.
- (9) A large lot subdivision which proposes subsurface sewage disposal shall be accompanied with a redevelopment plan which indicates potential redivision of lots should sanitary sewer become available. The redevelopment plan shall indicate (by dotted lines) lot configuration of the potential redivision of the original lots. Such redivided lots shall be enumerated alphabetically. For example, Block 1, Lot 1, of the original subdivision plat will be shown as Block 1, Lot 1A, 1B, 1C, etc. on the redevelopment plan.
- (10) Setback lines, if any, proposed by the subdivider.
- (11) The outline of any existing buildings and their use, showing those which will remain.
- (12) Contour lines shall be provided. If the slope of the ground is less than 10%, contour lines at two foot (2') intervals shall be required. If the slope is over 10%, contour lines at five foot (5') intervals shall be provided.
- (13) City boundary lines crossing or bounding the subdivision.
- (14) Approximate location of all areas subject to inundation or storm water overflow and the location, width, high water elevation flood flow and direction of flow of all watercourses.
- (15) Any areas proposed to be cut or filled or otherwise graded or protected from flooding.
- (16) If impractical to show on the tentative map, a key map showing the location of the tract in relationship to section and township lines and to adjacent property and major physical features, such as streets, railroads and watercourses.

E. Information in Statement. The statement to accommodate the map shall contain the following information:

- (1) A general explanation of the improvements and public utilities, including water supply and sewage disposal proposed to be installed.
- ✓(2) Deviations from subdivision ordinance, if any.
- (3) Public areas proposed, if any.
- (4) Tree planting proposed, if any.
- (5) A preliminary draft of restrictive covenants proposed, if any.

F. Commission approval of Tentative Subdivision Map. The Commission shall conduct a public hearing in conformance with Section 202 of this ordinance to determine the need and whether the tentative map is in conformity with the provisions of law and of this ordinance. Action by the Commission to approve, conditionally approve, or disapprove the proposed subdivision plan shall be taken not later than 45 days from the first regular Commission meeting following submission of the plat. Approval of the tentative map shall indicate the Commission's approval of the final plat, provided there is no change in the plan of subdivision as shown on the preliminary plat and there is full compliance with all requirements of this ordinance. The action of the Commission shall be noted on three copies of the tentative map. One copy shall be returned to the subdivider, one shall be transmitted to the city engineer, and the other retained by the city recorder together with a memorandum setting forth the action of the Commission.

SECTION 206 - SUBDIVISION AND MAJOR PARTITION - FINAL PLAT.

A. Submission of Final Map. The subdivider shall cause the proposed subdivision, or any part thereof, to be surveyed and a final map thereof prepared in conformance with the tentative map as approved or conditionally approved. A tracing and five blue-line or black-line prints of the final map shall be submitted to the city recorder, together with a fee of \$50.00, within one year after approval or conditional approval. The tracing and prints are in addition to those required by Oregon statutes. An extension of time for filing of the final map may be granted by the Commission, provided written application is made by the subdivider within one year after action on the tentative map.

B. Supplemental Data. At the time of the submission of the final map, the subdivider shall also submit the following:

- (1) A preliminary title report issued by a recognized title insurance company in the name of the owner of the land, showing all parties whose consent is necessary and their interest in the premises.
- (2) Sheets and drawings showing the following:
 - (a) Traverse data including the coordinates of the boundary of the subdivision and ties to section corners, donation land claim corners, if any, or triangulation systems, and showing the error of closure, if any.
 - (b) The computation of all distances, angles, and courses shown on the final map.
 - (c) Ties to existing monuments, proposed monuments, adjacent subdivisions, street corners, and State Highway stationing.
 - (d) Coordinates of all block corners and all street center points.
- (3) A copy of any deed restrictions applicable to the subdivision.

C. Form of Final Map. The final subdivision map shall be prepared in accordance with the provisions of this ordinance and State laws, including but not limited to ORS 92.080. All tracings required shall be in accordance with State standards, including but not limited to ORS 92.120.

D. Information on Final Map. The final map shall, in addition to other information required by law, show the following:

- (1) The date, scale, north point (generally pointing up), legend, and controlling topography (i.e., creeks, highways, railroads, etc.).
- (2) Reference points of existing surveys identified, related to the plat by distances and bearings, and referenced to a field book or map as follows:
 - (a) All stakes, monuments, or other evidence found on the ground and used to establish the initial point of the subdivision boundary, and to otherwise determine the boundaries of the subdivision.

- (b) Adjoining corners of all adjoining subdivisions.
 - (c) Whenever there has been established or adopted a system of coordinates, ties into this system, but in the absence of such a system, township and section and donation land claim lines within or adjacent to the plat.
 - (d) Whenever the City has established the centerline of a street adjacent to or within the proposed subdivision, the location of this line and monuments found or reset.
 - (e) All other monuments found or established in making the survey of the subdivision, or required to be installed by the provisions of this ordinance.
- (3) Tract boundary lines, right-of-way lines, and centerlines of streets, and lot and block lines with dimensions, bearings, or deflection angles and radii, arcs, points of curvature, and tangent bearings. Tract boundary and street bearings shall be shown to the nearest 10 seconds with basis of bearings. All distances shall be shown to the nearest 0.01 foot. Error of closure shall be within the limit of one (1) foot in 10,000 feet.
- (4) The center and side lines of all streets, the width of the portion being dedicated, the width of existing rights-of-way, and the widths of each side of the centerline. For streets on curvature, all curve data shall be based on the street centerline, indicating thereon the radius and center angle. Block corner curb data to be shown separately
- (5) All easements clearly labeled and identified and, if clearly of record, the recorded reference. If any easement is not definitely located of record, a statement of the easement. Easements shall be denoted by fine dotted lines. The widths of the easement and the lengths and bearings of the lines thereof, and sufficient ties thereto, to definitely locate the easement with respect to the subdivision must be shown. If the easement is being dedicated by the map, it shall be properly referenced in the owner's certificate of dedication.
- (6) Lot number beginning with the number "1" in each block and numbered consecutively in a clockwise direction, unless in conflict with adjoining subdivisions.

(7) Block numbers beginning with the number "1" and continuing consecutively without omission or duplication throughout the subdivision. The numbers shall be solid and of sufficient size and thickness to stand out and shall be so placed as not to obliterate any figure. Block numbers in an addition to a subdivision of the same name shall be a continuation of the numbering in the original subdivision.

(8) Appropriate words, symbols, or legends distinguishing lots intended for sale from land parcels to be dedicated for any purpose, public or private, with all dimensions, boundaries, and courses clearly shown and defined in every case.

E. Certifications. The following certifications shall appear on the final map as submitted. The certificates may be combined where appropriate.

(1) A certificate signed and acknowledged by all parties having any record title interest in the land subdivided, consenting to the preparation and recording of the map; provided, however, that the signatures of parties owning the following types of interests may be omitted if their names and the nature of their interests are set forth on the map:

(a) Rights-of-way, easements, or other interest, none of which can ripen into a fee.

(b) Rights-of-way, easements, or reversions which by reason of changed conditions, long disuse, or laches, appear to be no longer of practical use or value, where release thereof is impossible or impractical to obtain. Any subdivision map, including land originally patented by the United States or the State of Oregon, under patent reserving interest to either or both of these entities, may be recorded under the provision of this ordinance without the consent of the United States or the State of Oregon thereto, or to dedication made thereon if the interest reserved is not inconsistent with the use for which the land is being subdivided.

(2) A certificate signed and acknowledged as above, offering for dedication all parcels of land shown on the final map and intended for any public use; except those parcels other than streets, which are intended for the exclusive use of the lot owners in the subdivision, their licensees, visitors, tenants, and servants.

- (3) A certificate signed and acknowledged by the surveyor responsible for the survey and final map, the signature of such surveyor to be accompanied by his seal.
- (4) Provision for additional certificates and acknowledgements required by law.

F. Approval by City Engineer - City Surveyor

- (1) Upon receipt of the final plat and accompanying data, the city engineer shall review the final plat and improvement plans to determine that the plat conforms with the approved tentative plan, and that there has been compliance with provisions of the law and of this ordinance. The cost of the engineering review shall be reimbursable to the city by the subdivider.
- (2) The city surveyor if one is appointed or if not, the county surveyor, shall examine the plat for compliance with requirements for accuracy and completeness and shall collect such fees as are provided by this ordinance. He may make checks in the field to verify that the plat is sufficiently correct on the grounds, and he may enter the property for this purpose.
If he determines that there has not been full conformity, he shall advise the subdivider of the changes or additions that must be made, and afford the subdivider an opportunity to make such changes or additions.
- (3) If the city surveyor, if one is appointed or if not, the county surveyor, determines that full conformity has been made, he shall so certify on the final plat as prescribed by law.

G. Final Approval of the Commission. Upon return of the final map by the city engineer, the Commission shall examine the same to determine whether the map conforms with the tentative map and with all changes permitted and all requirements imposed as a condition of its acceptance. If the Commission does not approve the map, it shall advise the subdivider of the changes or additions that must be made for this purpose, and shall afford him an opportunity to make the same. If the Commission determines that the map conforms to all requirements, it shall approve the same; but before certifying its approval thereon, it shall require the subdivider to file the agreement and bond, or make the deposit, required in Sections 206, H and I; and when the agreement and bond have been filed and approved as prescribed, the Commission approval shall be endorsed upon the map by execution of the appropriate certificate, as prescribed by law.

H. Agreement for Improvements. Before Commission approval is certified on the final map, the subdivider shall either

install required improvements or shall execute and file with the recorder-treasurer an agreement between himself and the City, specifying the period within which he or his agent or contractor shall complete all improvement work required by or pursuant to this ordinance; and providing that if he shall fail to complete the work within the period, the City may complete the same and recover the full cost and expense thereof from the subdivider. The agreement shall also provide for reimbursement of the City by the subdivider for the cost of inspection by the city engineer. The agreement may also provide for the construction of the improvements in units, for an extension of time under conditions therein specified, and for the termination of the agreement upon the completion, and proceedings under an assessment district act for the construction of improvements deemed by the City to be at least the equivalent of the improvements specified in the agreement and required to be constructed by the subdivider.

I. Bond.

- (1) The subdivider shall file with the agreement, to assure his full and faithful performance thereof, one of the following:
 - (a) A personal bond cosigned by at least one additional person, who shall not be related to the subdivider by blood or consanguinity. The subdivider and cosigner shall submit evidence of financial responsibility, and the financial resources of those signing the bond shall provide reasonable assurance of the ability of the subdivider to proceed in accordance with the agreement.
 - (b) A surety bond executed by a surety company authorized to transact business in the State of Oregon.
 - (c) Cash.
- (2) The assurance of full and faithful performance shall be for a sum approved by the Council sufficient to cover the cost of improvements, engineering, inspection, and incidental expenses, and to cover replacement and repair of existing streets and other public improvements damaged in the development of the subdivision; and must be approved by the city attorney as to form.
- (3) In the event the subdivider fails to complete all improvement work in accordance with the provisions

of this ordinance, and the City has to complete same, or if the subdivider fails to reimburse the City for the cost of inspection, engineering, and incidental expenses, and to cover cost of replacement and repair of existing streets or other improvement damages in the development of the subdivision, the City shall call on the surety for reimbursement or shall appropriate from any cash deposits funds for reimbursements. In any such case, if the amount of surety bond or cash deposit exceeds all cost and expense incurred by the City, it shall release the remainder of the bond or cash deposit; and if the amount of the surety bond or cash deposit is less than the cost and expense incurred by the City, the subdivider shall be liable to the City for the difference.

- J. Filing of Final Plat. Approval of the final plat by the Council, as provided in Articles I through IV, shall be conditioned on its prompt recording. The subdivider shall without delay submit the final plat for signatures of other public officials required by law. Approval of the final plat shall be null and void if the plat is not recorded within 30 days after the last required approving signature has been obtained.
- K. Status of Redevelopment Plan. The redevelopment plan is intended to provide property owners with an acceptable design for the redivision of the individual lots once sanitary sewer is available. The redevelopment plan shall be attached to the final plan when filed with the Jefferson County Clerk. Subsequent redivision shall be in accordance with the redevelopment plan unless a deviation is specifically approved by the Planning Commission. The redivision may be accomplished as a minor partitioning with approval of the Planning Director, provided the revision will not result in the creation of non-conforming setbacks of existing or proposed structures or the creation of roads or streets. The Planning Director shall review proposed construction plot plans to minimize encroachment on potential redevelopment lots.

ARTICLE III: GENERAL DESIGN AND
IMPROVEMENT STANDARDS

SECTION 301 - CREATION OF STREETS OR WAYS.

- A. The creation of all streets or ways shall be in accordance with requirements for subdivisions, except Council may approve the creation of a street or way to be established by deed without full compliance with the regulations applicable to subdivisions, with any conditions as are necessary to preserve the standards established by Section 302, if any of the following conditions exist:
- (1) The establishment of the street or way is initiated by the Council and is declared essential for the purpose of general traffic circulation, and the dividing of land is an incidental effect rather than the primary objective of the street.
 - (2) The tract in which the street is to be dedicated is an isolated ownership of one acre or less.
- B. In those cases where approval of a street is to be without full compliance with the regulations applicable to subdivision, a copy of the proposed deed shall be submitted to the city administrator at least five days prior to the Commission meeting at which consideration is desired. The deed and information as may be submitted shall be reviewed by the Commission and, if not in conflict with the standards of Section 302, shall be recommended to the Council with the conditions as are necessary to preserve the standards.

SECTION 302 - MINIMUM RIGHTS-OF-WAY AND STREET IMPROVEMENTS.

- A. The minimum right-of-way to be dedicated to the public for a street shall be 60 feet.
- B. All streets shall be improved to the following standards prior to acceptance by the City.
- (1) Minimum improved widths for streets shall be forty-four (44) feet, curb-to-curb. Curbs shall be provided to meet the following standards: Straight concrete curbs, with battered face, concrete to test 2500 psi at 28 days, with 6" top width, 16" vertical height, 9" bottom width, with expansion joints at 20' intervals or less.

(2) Minimum grade for all streets shall be 0.5%.

(3) Maximum grade shall be 15%.

(4) Streets shall be designed in such a manner as to provide stormwater drainage from the center of the street for disposal in natural drainage ditches or other such means as the City shall require. In no case shall stormwater be designed to drain onto the lots of the subdivision.

C. Oil mat standards for all streets shall be 0-9, as established by the Oregon State Highway Department.

Base rock requirements for streets are: crushed basalt rock, six inches (6") of 1½" minus with a two inch (2") leveling course of ¾" minus.

SECTION 303 - WASTEWATER COLLECTION OR DISPOSAL. All subdivisions must meet Oregon State Department of Environmental Quality standards for subsurface sewage disposal (including OAR 340-71-015) or be provided with a wastewater collection system which is connected to the City of Madras municipal system, provided:

- A. The proposed subsurface disposal system is determined to be compatible with the goals and objectives of the adopted comprehensive plan by the City.
- B. The proposed wastewater collection system meets City of Madras standards as provided by the City Engineer.
- C. The proposed wastewater collection system provides stubs for future extensions, where applicable.

SECTION 304 - DOMESTIC WATER REQUIREMENTS. All subdivisions shall utilize a public water system approved by State or U. S. government and city.

SECTION 305 - FIRE PROTECTION. Fire hydrants shall be placed in the subdivision as directed by the City of Madras.

SECTION 306 - STREET LIGHTS. All subdivisions or major partitions shall require street lights.

SECTION 307 - UTILITIES. All utilities in a subdivision shall be underground, excepting:

- A. Poles or standards used exclusively for street lighting.

- B. Equipment appurtenant to underground facilities, including transformers, pedestal-mounted terminal boxes, meter cabinets, and concealed ducts.
- C. Emergency installations, electric transmission lines, and "through-feeder distribution conductors" which pass through but provide no service within a subdivision.
- D. Where topographical, soil or any other conditions make underground installation unreasonable or impractical.

SECTION 308 - UTILITY EASEMENTS. The subdivider shall make all arrangements with the serving utilities, agencies or other affected persons, companies or corporations for underground installations provided hereunder, including all easements which shall be provided by and at the expense of the subdivider.

ARTICLE IV: PENALTIES, ENFORCEMENT,
CONSTITUTIONALITY, AND
ENACTMENT

SECTION 401 - PENALTIES. An offer to sell, contract to sell, sale or deed of conveyance of a subdivision or major or minor partition or any part thereof, before a final plat thereof in full compliance with the provisions of the ordinance has been duly recorded, shall be a misdemeanor and any person, firm, partnership or corporation, upon conviction thereof, shall be punishable by a fine of not more than \$500.00.

SECTION 402 - ENFORCEMENT. It shall be the responsibility of the Commission to notify the city attorney of any violation of this ordinance and to sign any necessary complaints, provided that any member of the Commission is authorized to sign such complaints upon recommendation by a majority vote of the Commission.

SECTION 403 - COMPLIANCE WITH OREGON REAL ESTATE REGULATIONS. Prior to the sale of or contract to sell any lot within the subdivision, a final subdivision plat shall be recorded and the subdivider shall file a "Notice of Intent" with the Oregon State Board of Real Estate.

SECTION 404 - CERTIFICATION CONFLICTS. When any provision of Oregon State law or of this chapter requires the execution of any certificate or affidavit on the performance of any act by a person in his official capacity who is also a subdivider or any agent or employee thereof, such certificate or affidavit shall be executed or such act shall be performed by some other person duly qualified therefor and designated so to act by the Commission.

SECTION 405 - VALIDITY. If any provision of this ordinance shall for any reason be judged invalid or unconstitutional, the judgment shall not affect the validity of the remainder of the ordinance.

SECTION 406 - EMERGENCY CLAUSE. It is hereby determined and declared that existing conditions are such that it is necessary for the immediate preservation of the peace, health, general welfare and safety of the City of Madras that an emergency be and the same

hereby is declared to exist and this ordinance shall be in full force and effect immediately upon and after its passage by the Council and approval by the Mayor of the City of Madras, Oregon.

ADOPTED by the Common Council of the City of Madras on the

28th day of JUNE, 1979.

Approved by the Mayor

Ray D. Harrold

ATTEST:

P. Miller

(City Recorder)