DOCUMENTS LOCAL LEXINGTON (1979)

Technical Report



City of

TEXINGTON

Comprehensive Plan

CITY OF LEXINGTON

COMPREHENSIVE PLAN TECHNICAL REPORT June, 1979

City Council Members:

Mayor - Lee Padberg Lois M. Allyn Bill Smith Ed Baker Charlene Papineau Bill Sheirbon

City Staff:

Secretary-Treasurer - Lois Allyn Maintenance Superintendent - Floyd Borman Fire Chief - Ed Baker

City Planning Staff:

Marie Hall, Comprehensive Planner East Central Oregon Association of Counties

Keri Stratton & David Wheeler, Cartographers Umatilla County Planning Department

Jean Simpson, Secretary East Central Oregon Association of Counties

The preparation of this report was financed in part through a Comprehensive Planning Assistance Grant from the Oregon Land Conservation and Development Commission (LCDC).



DOCUMENTS LOCAL LEXINGTON

ACKNOWLEDGED PLAN MATERI.

Department of Land Conservation and Development

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

October 31, 1979

The Honorable Lee Padberg Mayor, City of Lexington P.O. Box 587 Lexington, OR 97839

Dear Mayor Padberg:

It gives me a great deal of pleasure to confirm that the Oregon Land Conservation and Development Commission, on October 11, 1979, officially acknowledged the comprehensive plan and implementing measures of the City of Lexington as being in compliance with ORS 197 and the Statewide Planning Goals.

The acknowledgment signifies a historic step for the City's land use planning program. By effectively planning ahead for the wise use of your valuable land, you have set an excellent example for other communities to follow.

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

Congratulations,

W. J. Kvarsten

Director

Enclosure

cc: Morrow County Court

Jeri Cohen, County Coordinator

Marie Hall, Planner-ECOAC

Jim Kennedy, Field Representative

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

IN THE MATTER OF THE CITY OF LEXINGTON'S COMPREHENSIVE PLAN AND IMPLEMENTING MEASURES

COMPLIANCE ACKNOWLEDGMENT ORDER

On July 2, 1979, the City of Lexington, pursuant to ORS Ch. 197.251 (1) (1977 Replacement Part), requested that their comprehensive plan and implementing measures, consisting of comprehensive plan, adopted July 11, 1978; zoning ordinance, adopted June 5, 1979; subdivision ordinance, adopted June 5, 1979;, water service ordinance, adopted June 19, 1979; and urban growth management agreement with Morrow County, adopted July 11, 1978, be acknowledged by the Land Conservation and Development Commission in compliance with the Statewide Planning Goals.

The Commission reviewed the attached written report of the staff of the Department of Land Conservation and Development on October 11, 1979, regarding the compliance of the aforementioned plans and implementing measures with the Statewide Planning Goals. Section IV of the report constitutes the findings of the Commission.

Based on its review, the Commission finds that the Lexington 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 comprehensive plan and implementing measures of the City of Lexington are in compliance with the Statewide Planning Goals.

DATED THIS 3/ DAY OF October, 197

W. O. Kvarsten

1171/ . . .

LAND CONSERVATION AND DEVELOPMENT COMMISSION

ACKNOWLEDGMENT OF COMPLIANCE REPORT

City of Lexington

DATE RECEIVED: July 2, 1979 DATE OF COMMISSION ACTION: October 11, 1979

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

II. SUMMARY OF RECOMMENDATIONS:

A. Staff:

Recommends approval of the acknowledgment request.

Local Coordination Body: В.

Recommends approval of the acknowledgment request.

FIELD REPRESENTATIVE: Jim Kennedy

Phone: 963-2171 Ext. 412

COORDINATOR: Jeri Cohen

Phone: 276-6732

LEAD REVIEWER: Greg Winterowd

Phone: 378-2328

Date of Report: September 27,1979

III. BACKGROUND INFORMATION:

A. Geography:

Lexington is located in the Willow Creek Valley in central Morrow County, between the Cities of Heppner and Ione. Willow Creek flows to the Columbia River.

B. Governing Body:

Mayor and five-member council.

C. Population:

1978 - 290

1974 - 245

1970 - 230

1960 - 240

1950 - 237

2000 - 400 (ECOAC projection)

D. Plan and Implementing Measures:

Comprehensive Plan

Urban Growth Area

Joint Management Agreement

Zoning Ordinance

Subdivision Ordinance

Water Service Ordinance

Adopted July 11, 1978

Ordinance 78-2

Adopted July 11, 1978

Adopted June 5, 1979

Ordinance 79-1

Adopted June 5, 1979

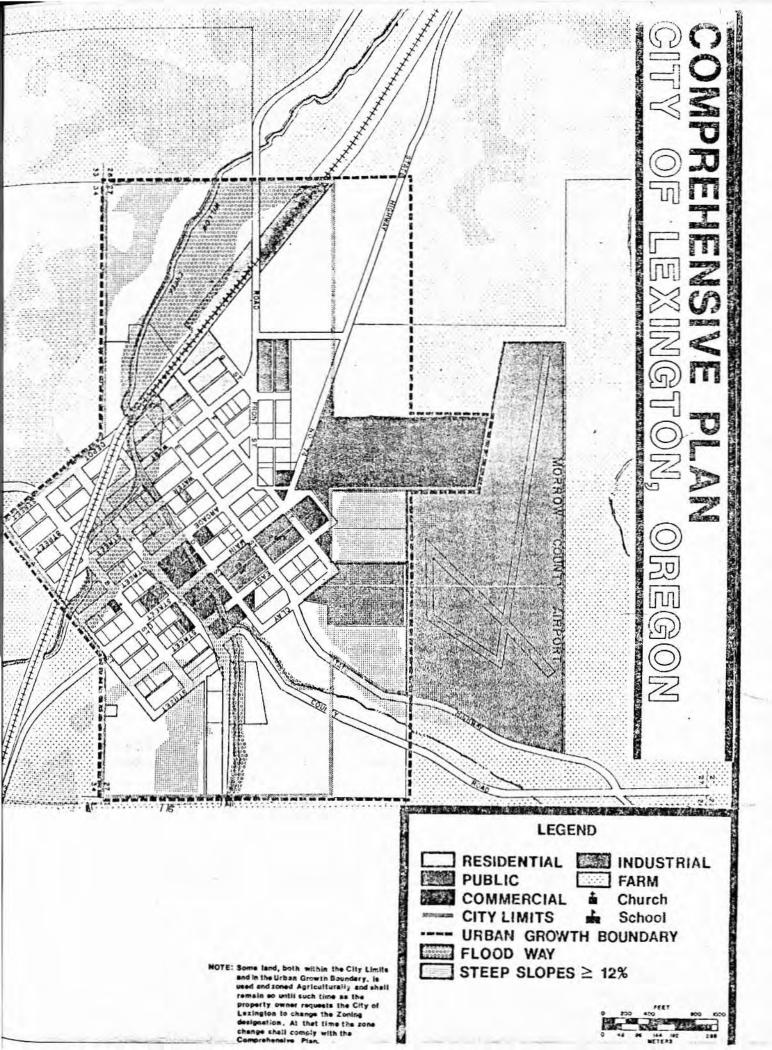
Ordinance 79-2

Adopted June 19, 1979

Ordinance 74-1

E. Compliance Status:

On May 6, 1977, Planning Extension granted with compliance date of July 1, 1978. The jurisdiction received a Joint Planning Assistance Grant of \$25,475, shared with the Cities of Heppner, Ione, and Irrigon in Morrow County.



IV. FINDINGS:

A. General Overview:

Lexington began as a sheep camp in the 1860's. In 1885, when Morrow County was separated from Umatilla County, Lexington consisted of a blacksmith shop, an eating establishment, and the Portland Wool warehouse. Morrow County continued to rely on wool export as its economic base until the 1930's. Lexington also became a center for the storage and rail shipment of wheat during this period. Wheat production has continued to dominate Lexington's economy since the 1930's, and increased with the development of new irrigation techniques.

Lexington was incorporated in 1903, and by 1920 had a population of 264. Population has remained stable since that time. Lexington now faces potential residential growth pressure as a result of economic expansion in northern Morrow County.

Lexington has made the policy choice to remain a small farming community and not to seek industrial expansion, as evidenced by its overwhelming rejection of a 1977 sewage treatment bond measure.

Future development in Lexington will be restricted by septic tank drainfield requirements, sloping hillsides, and a large flood plain area.

Lexington's plan is adequate to meet the limited growth needs—(62 housing units during the next twenty years) which are anticipated. The UGB includes an additional 60 acres, and plan policies provide for the protection of agricultural land inside the UGB and city limits until needed for development.

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

B. Applicable Goals:

1. Citizen Involvement: (Goal 1)

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

Factual Information: <u>Technical Report</u>, Chapter III (Citizen Involvement)

Plan Policies: <u>Technical</u> <u>Report</u>, Chapter IV (Goals and Policies) and Appendix E, <u>City</u> and County Plan Ordinance

Lexington's Citizen Involvement Program (CIP) was approved by LCDC on June 18, 1976 with the City Council serving as the Committee for Citizen Involvement (CCI).

In developing its comprehensive plan, the City conducted a community attitudes survey in the fall of 1976, provided copies of draft goals, objectives and sketch plans to all City post office box holders, and provided notice of public hearings prior to adoption of the plan (Plan, 2.1, 3.1-3.3).

"Public involvement has been an integral part of the planning process and will continue to be" (Plan, 3.2).

Plan policies require citizen involvement through public hearing notification and public review of proposed amendments, and commit the City to conducting periodic community surveys to determine public opinion and attitudes (Plan, 4.1).

Conclusion: The City of Lexington complies with Goal 1.

Land Use Planning: (Goal 2)

Lexington's comprehensive plan, technical information and findings, and implementing ordinances have been submitted for acknowledgment as a single document. Ordinance 78-2 adopting the Lexington plan states that:

"The technical report provides the background information, facts and considerations that the City's comprehensive plan goals, policies and map are based on. The technical report is not adopted as part of the plan but remains the supporting document that is subject to revision as new technical data becomes available." (Plan E-1)

Ordinance 78-2 also states that: "All plan implementation measures...shall be consistent with and subservient to the City's Comprehensive Plan," and requires that the plan and implementing measures be made available for public use in Lexington, Morrow County (Heppner) and ECOAC offices in Pendleton (Plan, E-1).

Lexington has implemented an extensive Agency Involvement Program and considered agency input in drafting its plan and implementing ordinance (Plan, 3.3-3.6).

Sections 6 and 7 of the "Plan Goals and Objectives" specify that the plan and implementing measures shall be reviewed "at least annually" to conform with the changes in the needs of the City and its residents, affected governmental units, and County administration of the Urban Growth Area. Lexington's policy framework was developed in the early stages of the planning process (personal communication, city planner, 9/20/79). Opportunity for citizen and agency review during plan amendment are provided (Plan, Appendix E-6,7).

Conclusion: The City of Lexington complies with Goal 2.

New information developed during the planning process has not, in all cases, been reflected in plan policies and specific requirements of Lexington's well-drafted ordinances do not always have a solid policy base.

Suggestion for Plan and Implementing Measure Improvement:

Lexington should review its plan policies in future plan updates to ensure their responsiveness to changing conditions and to provide a stronger policy base for implementing ordinance requirements.

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

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

Factual Information: <u>Technical Report</u> Chapters II (Summary of Findings), V (Natural Environment), and VI (Socio-Economic Environment (6.37)

Plan Policies: <u>Technical Report</u>, Chapter IV (Goals and Policies), and Appendix E, City and County Plan Ordinance

Implementing Measures: Zoning Ordinance, Article 3.50 (Permanent Open Spaces Zone, 0) and 5.10 (Conditional Use Criteria); Subdivision Ordinance, Sections 4.1.4 (Character of Land), 4.3 (Drainage and Storm Sewers), and 4.9 (Preservation of Natural Features)

Lexington has prepared Goal 5 inventories for open space and water areas (Plan, 6.37 city and county recreational areas and 5.10 city flood plain), mineral and aggregate resources in the Lexington area (Plan, 5.2), fish and wildlife (Plan, 5.12-5.14), energy resources (Plan, 5.1 and 5.17) and natural areas, historic areas, sites and structures and cultural areas (Plan, 5.15). Two historic structures are identified. The results of these inventories are summarized in Chapter II, "Summary of Findings (Plan, 2.2).

No scenic views, wilderness areas, recreational trails or scenic waterways were identified.

Plan Policies:

Plan policies relative to Goal 5 are listed below (Plan, 4.2-4.3):

"GOAL: To conserve open space and protect natural and scenic resources.

Objectives

To identify open space, scenic and historical areas, and natural resources which should be preserved from urban development.

To examine any publicly owned lands including street rights-of-way for their potential open space use before their disposition.

To protect archaeological and historic sites, structures, and artifacts.

To conserve the area's natural resources.

To administer areas of flood hazard according to the City's Flood Area Management Ordinance to be adopted by the City upon completion of the final plain study."

Implementing Measures:

The City of Lexington has made a policy commitment to adopt a Flood Area Management Ordinance upon completion of the final flood plain study in late 1979 (Plan, 5.10).

The Subdivision Ordinance also requires the maintenance of existing drainways, and restricts development in areas with flood plain or drainage problems (Section 4.2 (f)).

There is an "Open Space Zone" listed in the Zoning Ordinance, although no land within the City is designated under this zone.

Conditional use standards in the Zoning Ordinance require the retention of "features of historic significances" in project design (Article 5.10.4). The Subdivision Ordinance requires the preservation of natural features, including historic sites, in the design of partitions and subdivisions (Section 4.9).

Conclusion: The City of Lexington complies with Goal 5.

Although Lexington has not adopted a Flood Area Management Ordinance, it does have a policy commitment to do so upon completion of the Corps of Engineer's flood plain study. This is the primary mechanism whereby Lexington's open space, water areas, and fish and wildlife habitats will be preserved from urban development.

Update Item:

The City shall, at its next plan update and upon completion of the Corps of Engineer's flood plain study, carry out plan policy to adopt a Flood Area Management Ordinance.

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

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

Factual Information: <u>Technical Report</u>, Chapter V (Natural Environment: Air, Water and Land Quality) and II (Summary of Findings)

Plan Policies: <u>Technical Report</u>, Chapter IV (Goal and Policies) and Appendix E, <u>City</u> and County Plan Ordinance

Implementing Measures: Zoning Ordinance, Sections 3.50 (Permanent Open Space Zone, 0), 3.43 (Limitations on Use in Light Industrial Zone, M) 3.62 (Ground Cover Requirements), 3.32 and 3.42 (Dimensional Standards in Light Industrial and Commerical Zones); and Subdivision Ordinance, Section 4.3 (Drainage and Storm Sewers) and 4.5 (Sewerage Facilities)

Air and water quality in Lexington currently meets all applicable DEQ standards. Solid waste facilities in Heppner are adequate to meet future needs (Plan 2.2).

Plan policies commit Lexington to meeting applicable state and federal environmental quality standards. Industrial development is discouraged if it has a "...significant detrimental effect on the environmental resources of the area" (Plan, 4.2-4.3).

The Zoning and Subdivison Ordinances contain provisions to carry out plan policies (see references above).

D.E.Q. has noted in its comments a need for additional work on noise control (see attached letter).

Conclusion: The City of Lexington complies with Goal 6.

Suggestion for Plan and Implementing Measure Improvement:

The City should work with DEQ in further developing noise control standards at its next plan update.

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

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

Factual Information: <u>Technical Report</u>, Chapters II (Summary of Findings), and V (Natural Environment: Natural Hazards)

Plan Policies: <u>Technical Report</u>, Chapter IV, (Goal and Policies) and Appendix E, <u>City and County Plan Ordinance</u>

Implementing Measures: <u>Subdivison Ordinance</u>, Sections 4.3 (Drainage and Storm Sewers) and 4.14 (Character of Land) and 4.2.1.c (Street Topography and Arrangement); <u>Mobile Home Parks Ordinance</u>, Section 3.2 (Character of Land)

The Lexington Technical Report findings identify two types of natural hazards. It is noted that: (1) "several of the city's existing residences and virtually all of the downtown commercial area lie within the floodway boundaries while additional developed and undeveloped property lies within the flood plain," and (2) "Much of the land surrounding Lexington is of greater than 12% slope and has severe limitations for construction of buildings, roads, and drainfields" (Plan, 2.2).

Plan policies commit the City to adoption of a Flood Area Management Ordinance upon completion of the flood plain study. "Site specific information clearly determining the degree of hazard present" will be required of applicants seeking to develop lands in known hazard areas (Plan, 4.2-4.3).

Both the Subdivision and Mobile Home Park Ordinances require site-specific topographical information prior to approval, and both subdivisons and mobile home parks must be designed to account for natural development limitations (see references above).

Housing densities are limited because development on individual lots must meet DEQ standards for septic tanks, especially in steeply-sloping areas.

<u>Conclusion</u>: The City of Lexington complies with Goal 7.

Update Item: The City shall adopt a Flood Area Management Ordinance upon completion of the Corps of Engineers flood plain study, in accordance with plan policy and Goal 7 requirements.

Recreational Needs: (Goal 8)

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

Factual Information: <u>Technical Report</u>, Chapters VI (Socio-Economic Environment: <u>Community Facilities</u>) and II (Summary of Findings)

Plan Policies: <u>Technical Report</u>, Chapter IV (Goal and Policies), and Appendix E, <u>City and County Plan Ordinance</u>

Implementing Ordinances: <u>Zoning Ordinance</u>, Articles 3.11, 3.21, 3.31 (Public Use as Conditional Use in Residential and Commercial uses) and <u>Subdivision Ordinance</u>, Section 4.8 (Public Uses)

Lexington has identified existing park and recreational facilities, both in the City and the County, and has determined a need for improvement of facilities for teenagers, adults and senior citizens (Plan, 6.37).

Plan policies call for "the development of public meeting places and indoor recreational facilities for all age groups" and of "neighborhood parks and outdoor recreational facilities" in order to meet community growth needs (Plan 4.3).

The Zoning Ordinance allows for public uses conditionally in residential and commerical zones.

The Subdivision Ordinance requires reservation of park and playground areas in association with subdivision approvals.

Conclusion: The City of Lexington complies with Goal 8.

7. Economy of the State: (Goal 9)

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

Factual Information: <u>Technical Report</u>, Chapters I (Summary and Conclusions), II (Summary of Findings) and VI (Socio-Economic Environment)

Plan Policies: <u>Technical Report</u>, Chapter IV (Goal and Policies), and Appendix E, <u>City and County Plan Ordinance</u>

Implementing Measures: Zoning Ordinance, Articles 3.30 and 3.40 (Commerical and Light Industrial Zones); Subdivison Ordinance, Section 4.10 (Nonresidential Subdivisions)

Chapter VI of Lexington's Technical Report provides a description of the City's socioeconomic conditions. Chapter I summarizes Lexington's economic status:

"Lexington's economy is based on its proximity to surrounding farms and on its importance as a local trade and service center. The largest employer in the city is Morrow County Grain Growers who maintain their headquarters there. Growth in agri-business and energy-generating facilities in Northern Morrow County is not expected to influence Lexington greatly, though the city will probably realize a portion of the county's growth" (Plan, 1.1).

Most of Lexington's residents find employment outside the City (Plan, 6.22), and little industrial development is expected or planned for, due to locational sewerage and transportation limitations (Plan, 6.26). "The city has adequate land to meet future residential and commercial needs within the city limits and urban growth area" (Plan, 6.12).

Plan policies encourage commercial development to meet local needs, and "diversified, non-polluting industrial development in order to provide a stable job market" (Plan, 4.3).

The Zoning Map provides some 25 acres of commercially-zoned land and a limited amount of industrially-zoned land along the rail-road right-of-way. Development in both of these zones is dependent upon DEQ septic tank approval (Zoning Ordinance, Sections 3.32 and 3.42).

Conclusion: The City of Lexington complies with Goal 9.

The City expects only limited industrial and commercial growth in accordance with its role as a rural agricultural center. Economic development is restricted by a lack of sewerage facilities and transportation limitations.

8. <u>Housing</u>: (Goal 10)

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

Factual Information: <u>Technical Report</u>, Chapter I (Summary and Conclusions), II (Summary of Findings) and VI (Socio-Economic Environment)

Plan Policies: <u>Technical Report</u>, Chapter IV (Goals and Policies) and Appendix E, City and County Plan Ordinance

Implementing Measures: Zoning Ordinance, Articles 3.10 (General Residential Zone), 3.20 (Farm Residential Zone), and 5 (Conditional Uses); Subdivision Ordinance; and Mobile Home Park Ordinance

Buildable Lands Inventory

Buildable lands are defined in Goal 10 as "... lands in urban and urbanizable areas that are suitable, available and necessary for development."

A. Land Suitable and Available for Development

Lexington's UGB has two residential zones: (1) Farm Residential, which includes 145 acres of land now in agricultural use and, (2) General Residential, which comprises 18 acres, and is largely developed (see present Land Use Map, 6.52 and Table J-2, 6.53).

The Plan states that much of the land in these two residential zones is not suitable for residential development. A large portion of the land within the city limits is in the flood plain, and "much of the land surrounding Lexington is of greater than 12% slope and has severe limitation for the construction of buildings, roads, and drainfields (Plan, 2.2).

Out of approximately 293 total acres in the City of Lexington, 50 have been calculated to be suitable for development. It is noted, also, that out of the 60 acres included within the UGB outside the city limits, "about 37 could be readily built upon as it is not limited by steep slopes or flood plain restrictions" (Plan, 1.2). Taken together, there are a total of 87 "buildable" residential acres inside the UGB.

The Plan also discusses land availability:

"Most of the land within the Lexington city limits is used for agricultural purposes (58% or 99 acres) according to 1976 tax records. All of this land is classified as rural tracts and is held in eleven ownerships...Though this land may become available for urban uses at some time in the future, most owners do not foresee development at this time" (Plan, 6.49).

B. Lands Needed for Development:

Chapter II of the plan's "Technical Report" summarizes findings with respect to housing. It is noted that "there is very little available housing for new residents of the city" and that there is "a substantial need for low and

moderately priced single family homes to buy and rent and mobile homes... The lack of a sewer system precludes multifamily or mobile home park construction throughout most of the city" (Plan, 2.3).

Lexington currently has 67 single family homes and 19 mobile homes, with an average of 3.3 persons per dwelling unit. All homes in the City are owner-occupied. There is a recognized shortage of single family homes to buy and to rent, as a result of growth pressures in Northern Morrow County (Plan, 6.31).

It is estimated that 155 additional persons will settle in Lexington by the year 2000, requiring 62 housing units. All new housing will be dependent upon septic tanks (see Goal II section of this report). "With an occupancy rate of 2.5 persons per dwelling and a dwelling density of four dwellings per acre, Lexington would require 16 acres of land to accommodate forecasted residential needs" (Plan, 6.32).

Marie Hall, Lexington's planner, noted that these density assumptions should be revised because they could not be achieved under DEQ septic tank drainfield requirements (personal communication, 9/14/79).

<u>Plan Policies</u>: Lexington's housing objectives are to:

"allow for a moderate rate of growth," and
 "allow for residential development which provides prospective buyers with a variety of residential lots sizes, a diversity of housing types, and a range of prices" (Plan, 4.4).

The agricultural lands policy states that:

"Lands zoned for agricultural use in the city limits and urban growth area shall remain so until a zone change is requested" (Appendix E-3).

Implementing Measures:

Lexington's Zoning Ordinance allows for single family dwellings and mobile homes as outright uses in the farm residential and general residential zones. Mobile home parks are allowed conditionally in both these zones. Multiple family development is allowed conditionally in the General Residential Zone. The Farm Residential Zone has a one-acre minimum lot size, and the General Residential Zone has a 7,500 square-foot minimum lot size.

Conclusion: The City of Lexington complies with Goal 10.

Lexington is unusual in that the majority of its urbanizable land is currently in farm use with few ownerships, its growth needs are small, its development limitations substantial, and its housing 100% owner-occupied.

Buildable lands information is uncertain, due to incomplete flood hazard information, and the fact that all development in the City is dependent upon septic tank suitability which is determined on a site-specific basis. When the flood plain study is complete, the City should revise its buildable lands inventory to provide an information base for assessing the need for future zone changes and annexations.

Plan policies allow for the conversion of agricultural land to urban use as housing needs arise, and there is sufficient land outside flood plain and slope hazard areas in the UGB to meet housing needs. The City has determined its primary housing needs to be for single family homes and mobile homes, and has provided for these uses in a nondiscretionary manner.

9. Public Facilities and Services: (Goal 11)

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

Factual Information: <u>Technical Report</u>, Chapters II (Summary of Findings), Chapter VI (Socio-Economic Environment: Community Services and Community Facilities).

Plan Policies: <u>Technical Report</u>, Chapter IV (Goals and Policies) and Appendix E, <u>City and County Plan Ordinance</u>.

Implementing Measures: <u>Subdivision Ordinance</u>, Sections 3 (Assurance for Completion and Maintenance of Improvements) and 4 (Requirements for Improvements, Preservation, and Design); <u>Urban Growth Area Joint Management Agreement</u>; and <u>Water System Ordinance</u>.

The City of Lexington has inventoried its public facilities and services, and has noted the following:

Sewer:

"In November, 1977, community voters resoundingly defeated a ballot question...for construction of a sewer system and treatment plant" (Plan, 6.49).

"...most of the area within the City is acceptable for septic tanks" (Plan, 6.39).

Water:

"Lexington's water supply is adequate for present and projected population needs. Present distribution lines are adequate though some construction is needed to equalize pressure throughout the system. The lines can be extended as development occurs" (Plan, 2.3).

Storm Drainage:

"At present, Lexington has no storm drainage system...A storm drainage system should be implemented in the presently populated areas and design consideration given to future expansion to accommodate growth" (Plan, 6.43).

Schools:

There are no public schools in Lexington. "Lexington students presently have the option of attending school in Heppner or Ione" (Plan, 6.34).

Law Enforcement:

"There is no city police department in Lexington... services are presently provided by the Morrow County Sheriff's Department" (Plan, 6.34).

Fire Protection:

"Fire protection services are provided by the Lexingtion Volunteer Fire Department...and has a protection class rating of 8" (Plan, 6.35).

Solid Waste:

"Lexington has a metal storage solid waste site that serves all of Morrow County...Other solid waste services are provided by the facilities at Heppner" (Plan, 5.14).

Plan Policies:

Lexington has adopted the following public facilities policies (Plan, 4.4):

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

Objectives

To develop, maintain, update, or expand police and fire services, streets, water and sewer systems, and storm drains as necessary to provide adequate facilities and services to the community.

To cooperate with agencies involved in providing and coordinating social services to the community.

To work with Morrow County to insure adequate provision for and control of solid waste disposal sites.

To plan public facilities, services, and utilities to be maintained by the City of Lexington in cooperation with private companies to meet expected demand.

To provide city water and sewer services when available only after the area to be served has been annexed to the city or at the discretion of the City Council."

Implementing Measures:

The Urban Growth Area Joint Management Agreement states:

"The City may extend city services to any site or subdivision located within the City urban growth area at the affected property owner's request and expense. Such extension of city services to sites outside of the City's corporate limits shall be conditioned upon annexation..." (Section V A).

The Subdivision Ordinance requires the installation of needed services at the time of development (see references above). Individual septic tank systems must be approved by DEQ (Subdivision Ordinance, Section 4.5 (2)).

Conclusion: The City of Lexington complies with Goal 11.

The City relies on annexation procedures contained in its UGB Management Agreement and DEQ septic tank standards to ensure efficient provision of urban services.

10. <u>Transportation</u>: (Goal 12)

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

Factual Information: <u>Technical Report</u>, Chapter II (Summary of Findings) and IV (Socio-Economic Environment: Community Facilities)

Plan Policies: <u>Technical Report</u>, Chapter IV (Goal and Policies), and Appendix E <u>City and County Plan Ordinance</u>

Implementing Measures: <u>Subdivision Ordinance</u>, Section 4.2 (Streets) and 4.6 (Sidewalks), and <u>Urban Growth Area Joint Management Agreement</u>, Section VII (Roads)

The following are Lexington's findings concerning Goal 12:

-"Most City streets are paved and are well maintained.

-Union Pacific Railroad and State Highway 74 provide freight access for Lexington's commercial enterprises and grain elevators. Passenger access to Lexington is provided by state and county highway.

-Commercial, air, bus, and Amtrak services are available are available at Pendleton, Boardman, or Hermiston.

-Morrow County Airport is located just north of the Lexington Urban Growth Boundary. At such time as the Aeronautics Division of the Oregon Department of Transportation calculates and maps a clear zone for the cross-wind runway, Lexington and Morrow County will evaluate comprehensive plan designations for affected property" (Plan, 2.3).

A potential need was cited for intra-city bus service for the elderly, although a community survey indicated a lack of support for such a service. (Plan, 6.46).

Plan Policies:

Lexington has adopted the following transportation policies:

"GOAL: To provide an encourage a safe, convenient and economical transportation system.

<u>Objectives</u>

To encourage good transportation linkages (pedestrian, vehicular, bicycle, etc.) between residential areas and major activity centers.

To encourage industry to locate in areas which are or can be served by the railroad.

To prioritize the sequence for paving the City streets.

To contract with Morrow County or the State of Oregon or private contractors to pave streets within the City when they are doing other work in the area" (Plan, 4.4).

Implementing Measures:

Lexington's Subdivision Ordinance provides for the installation of paved streets and sidewalks (see references above).

<u>Conclusion</u>: The City of Lexington complies with Goal 12. <u>Lexington</u> has considered or has policies to encourage all appropriate transportation modes.

A potentially serious conflict between the Morrow County crosswinds runway approach and the Comprehensive Plan Residential designation for the approach zone has been noted in the Lexington plan findings and in comments from the Department of Transportation, Aeronautics Division.

At the next plan update, the City and Morrow County will need to reconsider development in this approach area when ODOT calculates and maps necessary clear zones (see discussion in Chapter VI, 6.45-6.46), as provided for in Lexington's findings supporting its Comprehensive Plan (Plan, 4.4).

Update Item:

Based on findings cited in the Technical Report at 2.3., Lexington shall, in its next plan update, cooperate with Morrow County and the Oregon Department of Transportation in reassessing appropriate land use designations for the Morrow County airport cross-winds runway approach area, when this area has been determined and mapped by the Aeronautics Division of ODOT.

Suggestion for Plan and Implementing Measure Improvement:

The City should work with Morrow County and ECOAC in further reviewing the needs of, and adopting policies and implementing measures for, the transportion disadvantaged.

11. Energy Conservation: (Goal 13)

The acknowledgment request contains the following to comply with Goal:

Factual Information: <u>Technical Report</u>, Chapter II (Summary of Findings) and V (Natural Environment: Energy Resources)

Plan Policies: <u>Technical Report</u>, Chapter IV (Goals and Policies) and Appendix E, City and County Plan Ordinance

Implementing Ordinance: Zoning and Subdivision Ordinance

Lexington has considered the following findings in preparing its plan and implementing ordinance.

"-It is possible to conserve energy in Lexington through the following measures:

- Design the upgrading of water lines to minimize energy use.
- Implement zoning and subdivision ordinances to protect sun rights and to provide for landscaping to reduce summer cooling needs.

-Lexington's climate is suited for utilization of solar and wind resources" (Plan, 2.4).

Plan policies require the development of zoning ordinance provisions which protect sun rights, the development of subdivision regulations which orient streets and buildings for the utilization of solar energy and which require landscaping to reduce summer cooling needs, and the consideration of energy conservation in the design of sewer and water facilities (Plan, 4.5).

Implementing Measures:

The Lexington Zoning Ordinance currently limits building heights to 25 feet and contains setback requirements and lot size limitations in residential zones which carry out plan policies to preserve sun rights (Zoning Ordinance, Sections 3.12 and 3. 22).

The Subdivision Ordinance does not contain provisions for street orientation and landscaping, except to the extent that subdivision approval is dependent on compliance with the Lexington Comprehensive Plan.

Conclusion:

The City of Lexington complies with Goal 13.

Update Item:

The City shall amend implementing measures to more fully carry out plan policies in its next plan update.

12. Urbanization: (Goal 14)

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

Factual Information: <u>Technical Report</u>, Chapters I (Summary and Conclusion), II (Summary of Findings), V (Natural Environment: Soils and Natural Hazards), and VI (Socio-Economic Environment: Population, Housing, Employment, Existing Land Use, Zoning, and Growth Management)

Plan Policies: <u>Technical Report</u>, Chapter IV (Goals and Policies) and Appendix E, <u>City and County Plan Ordinance</u>

Implementing Measures: <u>Urban Growth Area Joint Management</u>
Agreement

Justification for Establishment of the UGB

Consideration of Goal 14's seven factors for establishment of the UGB is found in several places in the Technical Report (see references above). Chapter I summarizes the UGB establishment process and results:

"Population projections, soil capabilities, floodplain boundaries, feasibility of extending city services, availability of land inside and outside city limits, and other natural resource and socio-economic information was evaluated...Though the area included in the urban growth boundary is somewhat more than a simple calculation may indicate a need for, the city feels it is reasonable in view of the limitations of the floodway and flood plain areas, the availability of land for development and the lack of a sewer system that would (otherwise) allow the city to utilize some platted city lots" (Plan, 1.1-1.2).

The City has also found that large portions of the land within the city limits are, for a variety of reasons, unbuildable (see Goal 10 section of this report). The key limitations to development of land within Lexington are:

- A flood plain which encompasses large portions of the vacant and developed areas of the City;
- (2) The defeat of a sewerage bond measure and the City's policy decision not to encourage substantial growth;
- (3) 58% of the land within the city limits is currently under agricultural tax deferral and cannot be assumed to be available for development (Plan, 1.1-1.2, 6.49).

The city limits include approximately 195 acres (after excluding streets). Acreage within the City is divided according to the following zaning categories (Plan, 6.53):

Existing Zoning Classifications City Limits

Zoning Classificiation	Acres	Percent of Land
Residential	18	9
Commercial	25	13
Industrial	7	4
Farm Residential	145	74
TOTAL ACRES	195	100

Buildable lands within the UGB have been calculated as follows (Plan, 6.13):

Acreage Calculations

	City Limits	UGB
Total Land (including streets)	293	60 Ac. (res.)
Buildable Land*	50 (res. and/or ag.)	37 Ac. (res.)

*Buildable land as used here refers to land not included in the flood plain or steep slope areas and is unimproved and/or unplatted.

As noted by the Lexington Planner (see Goal 10 section of this report), the 16 acres of land needed for 62 housing units is unrealistic in view of the fact that development is not likely to take place at four dwelling units per acre (see also Plan, 6.32). Land needs for employment are minimal (Plan, 6.26) and approximately seven acres have been set aside for industrial use, and 25 acres for commercial use. Ten acres in Lexington are currently publiclyowned, and plan policies call for increased public lands for recreational use (see Goal 8 section of this report and Plan, 6.51).

Conversion Policies:

The City and Morrow County have adopted a Joint Management Agreement which defines policies and procedures affecting the unincorporated area within the UGB, including UGB amendment, annexations and land use actions.

The Urban Growth Area Joint Management Agreement contains policies and procedures for UGB amendment, annexations and land use decisions for the unincorporated area inside the UGB.

Both the agricultural lands policy (Plan, 4.2) and the Urban Growth Joint Management Agreement (II.D) specify that:

"Land zoned agricultural shall remain so until such time as the property owner requests a zone change...such zoning shall be consistent with the Comprehensive Plan."

As noted in the Goal 11 section of this report, the extension of city services (in this case, water and fire protection) will require annexation (Joint Management Agreement, Part V.A).

<u>Conclusion</u>: The City of Lexington complies with Goal 14.

Suggestions for Plan and Implementing Measures Improvement:

- The City should reevaluate its housing density assumptions in association with DEQ to account for septic tank drainfield requirements.
- (2) Buildable lands information should be revised based on "(1)" above, and based on the revised flood plain study to be completed by the Corps of Engineers.

C. Comments Received:

The following have submitted statements on this acknowledgment request:

Agency or Party	Position
State Housing Division	Comments*
Department of Environmental Quality	Comments*
Farmer's Home Administration	Comments
Department of Transportation	Comments*
Columbia Basin Electric Co-op, Inc.	Comments*
Department of Economic Development	Comments*
Morrow County Court	Comments*
Public Utility Commission	Comments

*Statements attached where comments cite specific acknowledgment issues.

D. Overall Conclusions:

The City of Lexington has done an adequate job of planning for limited residential growth in the face of serious flood plain limitations and in the absence of a central sewerage system.

The plan is strong with regard to background information and implementing ordinances, although plan policies should be refined and strengthened in future plan updates.

V. RECOMMENDATIONS:

A. Staff:

Recommends approval of Lexington's acknowledgment request.

B. Local Coordination Body:

Recommends approval of Lexington's acknowledgment request.

GW:krh 471A 3Z

VI. COMMISSION ACTION

Approved acknowledgment of compliance with Statewide Planning Goals.

JBK:cz



Department of Commerce

HOUSING DIVISION

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

DEPARTMENT OF AND DEVELOPMENT

SFP 5 1070

September 5, 500

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

Attention: Greg Winterowd, Lead Reviewer

Re: Lexington Request for Acknowledgement of Compliance

Dear Mr. Kvarsten:

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

The Housing Division does not have significant concern with the plan and implementing ordinances. Overall, the city has done an adequate job of preparing a plan sensitive to Goal #10 and responsive to local potentials and constraints.

Lexington projects their population will increase by an additional 155 people over the next 20 years, resulting in a maximum year 2000 population of 400. They project a need for 16 residential acres to accommodate 62 additional housing units. The plan documents (p. 6.13) the availability of 50 acres of buildable land within the city limits and 37 buildable acres within the UGB. Consequently, the city is providing adequate buildable land to meet their projected housing need. Given large parcel sizes and concentrated ownership patterns, the Housing Division feels the city is justified in including more land in their UGB than they document as necessary.

Multifamily and mobile home park housing is constrained in Lexington because of the city's dependence on septic disposal. A sewer bond was defeated in 1977 and it is not expected that the city will pursue future development in the area of sewage facilities (p. 6.39).

It is stated on p. 2.3 of the plan that mobile homes on individual lots are permitted outright in all residential zones. However, it is unclear whether mobile homes are permitted in the Farm Residential zone.

Existing city residential zoning consists of 18 acres of Residential (mobile homes permitted) and 145 acres of Farm Residential. Given constraints on mobile home park and multifamily housing, the plan should clearly specify whether mobile homes are permitted in the Farm Residential zone.

In summary, Lexington's planning effort appears appropriate to the size of the community and the Housing Division feels the city adequately complies with Goal #10 requirements. Please do not hesitate to call if you have any questions or comments.

Sincerely,

Mary Dorman

Mary Dorman Planning Intern

cc: Jim Kennedy, Field Representative Jeri Cohen, County Coordinator Lee Padburg, Mayor



Department of Environmental Quality

522 S.W. 5th AVENUE, P.O. BOX 1760, PORTLAND, OREGON 97207 PHONE (503) 229-

MEMORANDUM

TO:

Greg Winterowd, DLCD Lead Reviewer DATE: September 11, 1979

FROM:

Bob Jackman

SUBJECT: Department of Environmental Quality Review and Comment on

Compliance Acknowledgment Request - Lexington

Comments

Steve Gardels, DEQ Eastern Region Manager, Pendleton, comments that the Lexington Comprehensive Plan Technical Report is good and requests no changes.

Jerry Jensen, DEQ Noise Control Section, Portland, comments that the Plan needs development of the noise control discussion. DEQ's Handbook for coordinating land use with environmental quality should be utilized.

DEQ's Air Quality, Water Quality and Solid Waste Divisions nothing further to add to Gardels' and the Plan's comments.

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 Lexington Comprehensive Plan and DEQ plans and programs.

Mr. Greg Winterowd September 11, 1979 Page 2

No Objection

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

RDJ:p MP7044

CC: Lexington

Jim Kennedy, DLCD Field Representative

Jeri Cohen, Local Coordinator

Steve Gardels, Eastern Region, DEQ

Neil Mullane, Water Quality Division, DEQ

Jim Claypool, DLCD

William H. Young, Director, DEQ

Mike Downs, Management Services, DEQ

Jack Weathersbee, Air Quality Division, DEQ

Mike Ziolko, 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



Department of Transportation HIGHWAY DIVISION

TRANSPORTATION BUILDING; SALEM, OREGON 97310



SALEM

August 24, 1979

In Reply Refer to File No.:

Mayor Lee Padberg City of Lexington City Hall Lexington, OR 97839

Dear Mayor Padberg:

We would like to commend your community for completion of its comprehensive plan and ordinances. Our staff has reviewed them in light of our Department's programs and we will be supporting LCDC acknowledgment. We would also like to express our appreciation for the excellent cooperation we have received from Marie Hall.

Our 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 George Strawn, our Transportation Planning Representative and Cindy Murphy, Parks Planning Representative. We would also appreciate your sending George notice of applications for zone changes and subdivisions along state highways. Addresses and phone numbers for George and Cindy are enclosed.

We do have a comment concerning the Morrow County Airport for your future consideration. Page 2.4 of the plan notes that "At such time as the Aeronautics Division...calculates and maps a clear zone for the cross wind runway Lexington and Morrow County will evaluate comprehensive plan designations for affected property." The Aeronautics Division will be putting together this information and looks forward to working with you to address their concerns. In the meantime we request that before any development occurs in the area around the airport, the City contact George Strawn so that our Department may have the opportunity to comment on the impact of such development on the airport. Your cooperation in this matter is appreciated.

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

Sincerely,
OMIGINAL SIGNED BY
R.E. ROYER
ROBERT E. Royer, Ass't Director
Policy and Program Development



LAND CONSERVATION

JUL 3 0 1979

Columbia Basin Electric Co-op. Inc. SALEM

SERVING AREAS IN MORROW, UMATILLA, WHEELER, SHERMAN AND
GILLIAM COUNTIES

BOX 398 · HEPPNER, OREGON 97836

Phone 676-9146

July 25, 1979

Land Conservation and Development Commission 1175 Court Street N.E. Salem, Oregon 97310

To whom it may concern:

As requested in your memorandum "Request for Acknowledgment of Compliance" (July 17, 1979), we have reviewed the Comprehensive Plans for the cities of Lexington and Ione. Both of these cities are served by Columbia Basin Electric Cooperative under franchise agreements.

We are concerned about the requirement in both Plans which mandates us to install underground electrical facilities throughout new subdivisions or partitions. (Ione Ordinances No. 157 and 159; Lexington Ordinances No. 79-2 and 79-3.)

It is our understanding that new subdivisions in either town are likely to lie on rocky hillside, due to recent flood-plain growth restrictions. The emplacement of underground facilities in rocky terrain greatly adds to the cost of installation of electric service. Unfortunately, the added expense of installing these expensive underground facilities would have to be borne by rate payers in Lexington and Ione, and therefore any advantage which would conceivably be realized by requiring underground facilities might be negated through increased rates. Hence, the requirement for mandatory underground installations could in fact prove to be counterproductive.

We suggest that alternative wording of the ordinances be considered such that the emplacement of electrical facilities underground in subdivisions or partitions be done at the option of Columbia Basin Electric Cooperative, rather than at the option of the city councils involved. We believe that all concerned will be better served by such an arrangement.

Sincerely,

Rodney A. Aho

Rodney A. Also

Consumer Services Representative

cc: Mayor Linda LaRue, City of Ione Mayor Lee Padberg, City of Lexington



Department of Economic Development

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

July 23, 1979

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

Subject: Acknowledgement of Comprehensive Plan, City of Lexington

Dear Mr. Kvarsten:

We have reviewed the Lexington Comprehensive Plan for compliance with Goal 9. The Department is concerned that Lexington have realistic economic development goals and a plan that will help the community reach those goals.

Recommendations:

The Department of Economic Development does not object to the acknowledgement of Lexington's Plan. The community's economic goals are expressed. Public facilities policies and land designations support those economic development goals. The plan can be refined with more detailed policies to guide public decision making, as new problems and opportunities arise.

The Department also recommends that as part of the review and update process, the City accomplish the following:

- Continue discussion with the Aeronautics Division, Dept. of Transportation, to determine how the future viability of the County Airport can best be assured. Include in the plan and/or zone amendments strategies to protect this valuable economic resource.
- 2. Determine how the community will implement its very general economic objectives. Programs should be developed to provide answers to the following questions:
 - Are the designated industrial sites ready for development? Will the City take an active role in seeking a potential employer? If so, how?
 - Are restrictions necessary on lands adjacent to the County Airport?

Mr. Wes Kvarsten, Director Department of Land Conservation and Development July 23, 1979 Page 2

- Will the City take an active role in planning for the regional economy through membership in ECOAC?
- Has water level in City Well #3 continued stable? If not, what alternate sources are realistic?

Further comments:

- The City, planner Marie Hall and ECOAC are to be complemented on the technical report and summaries which describe the nature of Lexington's problems and opportunities in a straightforward, understandable way.
- Although objectives are very general, they appear realistic.
 Those who would wish to encourage a more diverse economy can use the data and engineering studies to provide the public facilities necessary for expansion of job and investment opportunities.
- Productive agricultural lands are preserved by zoning and Joint Management Agreement, until such time as growth, from one of the sources mentioned, occurs.

Thank you for this opportunity to comment.

Sincerely,

Roger Eiss Deputy Director

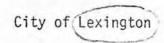
mb cc City of Lexington Don Farnum

DEPARTMENT OF LAND CONSERVATION

5#7 L J 1979

SALEM

REQUEST FOR ACKNOWLEDGMENT OF COMPLIANCE LOCAL COORDINATION BODY RECOMMENDATION



Summary of Local Coordination Body Recommendations

The Morrow County Court recommends that the City of Lexington Comprehensive Plan be acknowledged as being in compliance with the Oregon Statewide Planning Goals. The Morrow County Court further recommends that the Morrow County Comprehensive Plan for the area between the Lexington city limits and Urban Growth Boundary be acknowledged as being in compliance with the Oregon Statewide Planning Goals.

Background

I. Important Dates

Fall, 1976	Community Attitude Survey circulated
October, 1977	Draft Goals and Objectives mailed to city post office box holders, governmental agencies, and other interested persons
October 18, 1977	Public hearing to discuss Draft Goals and Objectives, Sketch Plan, and UGB
January, 1978	Draft Sketch Plan mailed to city post office box holders
January 24, 1978	City Council hearing on Draft Comprehensive Plan
January 30, 1978	Morrow County Planning Commission infor- mational meeting on Draft Comprehensive Plan
February 7, 1978	City Council adoption of Draft Comprehensive Plan Map
April 17, 1978	Morrow County Planning Commission review of Draft Comprehensive Plan
April 19, 1978	Morrow County Court review of Draft

Comprehensive Plan

April, 1978	Draft Technical Report printed and circulated to governmental agencies, elected officials, and other interested persons
May 1, 1978	Draft Comprehensive Plan mailed to govern- mental agencies, elected officials, and other interested persons
May 30, 1978 June 30, 1978	Public hearing on Model Urban Growth Area Management Agreement and Model Subdivision, Zoning, and Mobile Home Park Ordinances
June 26, 1978	Morrow County Planning Commission review of Comprehensive Plan
July 11, 1978	City Council adoption of Comprehensive Plan and Joint Management Agreement
August 16, 1978	Morrow County Court co-adoption of Compre- hensive Plan and Joint Management Agreement
September, 1978	Release of new flood hazard information by the U.S. Army Corps of Engineers
May 22, 1979	Public hearing on Comprehensive Plan Amendments and Zoning Subdivision, and Mobile Home Park Ordinances
June 5, 1979	City Council adoption of Comprehensive Plan amendments and Zoning, Subdivision, and Mobile Home Park Ordinances
June 25, 1979	Morrow County Planning Commission review of Comprehensive Plan amendments
June 27, 1979	Morrow County Court co-adoption of Compre- hensive Plan amendments

II. Discussion

The City of Lexington lies at the confluence of Black Horse and Willow Creeks in an area subject to flooding. The gently sloping valley floor is composed of Class III and IV soils with generally moderate development limitations. The steeply rolling hills surrounding Lexington are composed of Class III, IV, and VII soils with moderate to severe development limitations.

At the present time, land inside the Lexington Urban Growth Boundary (UGB) is either used for grazing or the production of dry land wheat and is zoned for exlusive farm use. Both the Comprehensive Plan and Joint Management Agreement provide for the continuation of such zoning until the land is actually needed and available for development.

Lexington's water supply and storage is generally adequate to meet present and future needs, but some improvement in the distribution system will be necessary. The City does not have sewerage facilities other than individual septic tanks and does not plan to develop a central sewage system.

While Lexington's urban density residential acreage requirement (four dwellings per acre at an occupancy rate of two and one half persons per dwelling = 10 persons per acre) projected to the year 2,000 is only 16 acres (Lexington's population increase projected to the year 2,000 is 155 persons; 155 persons/10 persons per acre = 16 acres), a number of factors justify the 50 acre (37 of which are buildable) UGB. These factors are discussed below.

First, the fact that Lexington does not plan to provide a central sewage system indicates that the urban growth area will never develop to urban densities. Pratically speaking, this fact leads to the conclusion that the Lexington UGB may be very conservatively drawn. In addition, the absence of a sewer system precludes development of many vacent lots inside city limits due to their small size.

Second, five persons own all the growth area land, and two of these property owners hold about 10 acres which are almost entirely unsuitable for development. Thus consideration of the UGB location included a concern for providing some flexibility in order to accommodate both projected growth and diverse attitudes toward that growth.

Third, recently released flood hazard information has resulted in extrensive development restrictions throughout much of the City. While the impact of such limitations is not as broad as that experienced in Ione, it is significant.

Finally, permanent professional planning assistance is not available to Lexington. Therefore, an attempt was made to address long range needs in the Comprehensive Plan. In this way, incremental amendedment will hopefully be avoided.

In conclusion, we of the Morrow County Court believe both the City of Lexington Comprehensive Plan and the Morrow County Comprehensive Plan for the Lexington Growth Area are in compliance with the Oregon Statewide Planning Goals and should be so acknowledged by the Land Conservation and Development Commission.

Dated this 5th day of September, 1979

D.O. Nelson, Judge

Warren McCoy, Commission

Dorothy Krebs, Commissioner

CHAIRMAN Mayor Foster Odom

VICE CHAIRMAN Judge D. O. Nelson

SECRETARY-TREASURER Mayor Gordon Chapman

EXECUTIVE DIRECTOR
Wayne L. Schwandt

June 29, 1979

East
Central
Oregon
Association of
Counties
920 S. W. Frazer, P. O. Box 1207
Pendleton, Oregon 97801

Phone (503) 276-6732

JUL 2 1979

W. J. Kvarsten, Director Department of Land Conservation & Development 1175 Court Street, NE Salem, Oregon 97310

Dear Mr. Kvarsten,

Enclosed are six copies of the Ione and Lexington Comprehensive Plan technical reports. The cities hereby request review for compliance with the Land Conservation and Development Commission's Goals.

Unfortunately, the Comprehensive Plan maps have been delayed at the printers office. They will, however, be completed and forwarded to you during the dirst week of July.

Six copies of a list of affected agencies and special districts and their addresses are also enclosed. The Mayors of the two cities will represent the city and receive notice of Commission consideration. Their addresses are:

Mayor LaRue PO Box 367 Ione, Oregon 97843

Mayor Padberg Lexington, Oregon 97839

If any further information is needed, please contact me. I apologize for the delay in sending the Comprehensive Plan Maps.

Sincerely,

Marie Hall
Marie Hall

Comprehensive Planner

MH:js

Enclosures

cc: Mayor LaRue Mayor Padberg Jim Kennedy Jeri Cohen

A voluntary association of the following COUNTIES and Cities: GILLIAM: Arlington, Condon, Lonerock; GRANT: Canyon C Dayville, Granite, John Day, Long Creek, Monument, Mt. Vernon, Prairie City, Seneca; MORROW: Boardman, Heppner, Ione, Irri Lexington; UMATILLA: Adams, Athena, Echo, Helix, Hermiston, Milton-Freewater, Pendleton, Pilot Rock, Stanfield, Ukiah, Um' Weston; WHEELER: Fossil, Mitchell, Spray.

AFFECTED AGENCIES AND SPECIAL DISTRICTS

Mr. Jim Kennedy
Field Representative
Department of Land Conservation
and Development
Eastern Oregon State College
La Grande, OR 97850

Cindy Murphy ODOT P.O. Box 850 La Grande, OR 97850

George Strawn Transportation Planner Region 5 P.O. Box 850 La Grande, OR 97850

Matt Doherty, Superintendent Morrow County School District PO. Box 368 Lexington, OR 97839

Jeri Cohen Planning Coordinator ECOAC P.O. Box 1207 Pendleton, OR 97801

Mr. Dean Seegar Morrow County Planning Department Morrow County Courthouse Heppner, OR 97836

Judge Nelson Morrow County Court Morrow County Courthouse Heppner, OR 97836

Morrow County Library Heppner, OR 97836

Ms. Doris Graves, Chairperson Morrow County Planning Commission Hardman Route Heppner, OR 97836

Mr. Steve Gardels Department of Environmental Quality 245 S.E. Fourth Pendleton, OR 97801

Federal Insurance Administration Mr. Chuck Steele 1321 Second Avenue Seattle, WA 98101 Mr. Ron Barrett Chief, Flood Plain Section Corps of Engineers Building 602, City-County Airport Walla Walla, WA 99362

Mr. Rob Byrnes, Administrator Pioneer Memorial Hospital 564 E. Pioneer Drive Heppner, OR 97836

Mr. Glen Ward Department of Fish and Wildlife P.O. Box 284 Heppner, OR 97836

Ms. Jean Robinette
Department of Economic Development
921 S.W. Washington, Suite 425
Portland, OR 97205

Mr. Harold Kerr OSU Extension Service Gilliam and Bisbee Building P.O. Box 397 Heppner, OR 97836

Mr. Robert Adelman Soil Conservation Service Gilliam and Bisbee Building P.O. Box 127 Heppner, OR 97836

Morrow County Assessor Morrow County Assessor's Office Morrow County Courthouse Heppner, OR 97836

Ms. Judy Bushke
Agriculture Stabilization and
Conservation Service
P.O. Box 786
Heppner, OR 97836

Mr. Buddy Toadvin, Manager Port of Morrow Boardman, OR 97818

Oregon Department of Commerce P.O. Box 157 Boardman, OR 97818

General Manager Columbia Basin Electric Coop 171 West Linden Way Heppner, OR 97836



Department of Land Conservation and Development

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

MEMORANDUM

July 17, 1979

T0:

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

City of Madras

Comments Due:

September 5, 1979

Tentative Date for

Commission Action:

October 11-12, 1979 in a location to be

announced

Field Lead Representative Reviewer Newberg Craig Greenleaf Grea Winterowd Jim Kennedy Grea Winterowd Lexington Jim Kennedy Greg Winterowd Ione Dunes City Glen Hale Don Oswalt Astoria Gary Gustafson Don Oswalt Cannon Beach Don Oswalt Gary Gustafson Stanfield Claire Puchy Jim Kennedy 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.

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 97741 Madras, OR Contact: Robert Martin Phone: 475-3147

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

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

2

If you respond to this notice, please distinguish clearly between information or a comment presented for the Commission's consideration as opposed to an <u>objection</u> 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

Newberg City of Newberg City Hall Newberg, OR 97132

(LCDC Field Office in Salem Central Office)

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

Morrow County Planning Dept. Courthouse Heppner, OR 97836 (Lexington, Ione only) LCDC Portland Office 320 SW Stark, Rm. 530 Portland, OR 97204 Contact: Linda Macpherson Phone: 229-6068

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

City of Ione City Hall Ione, OR 97843

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)

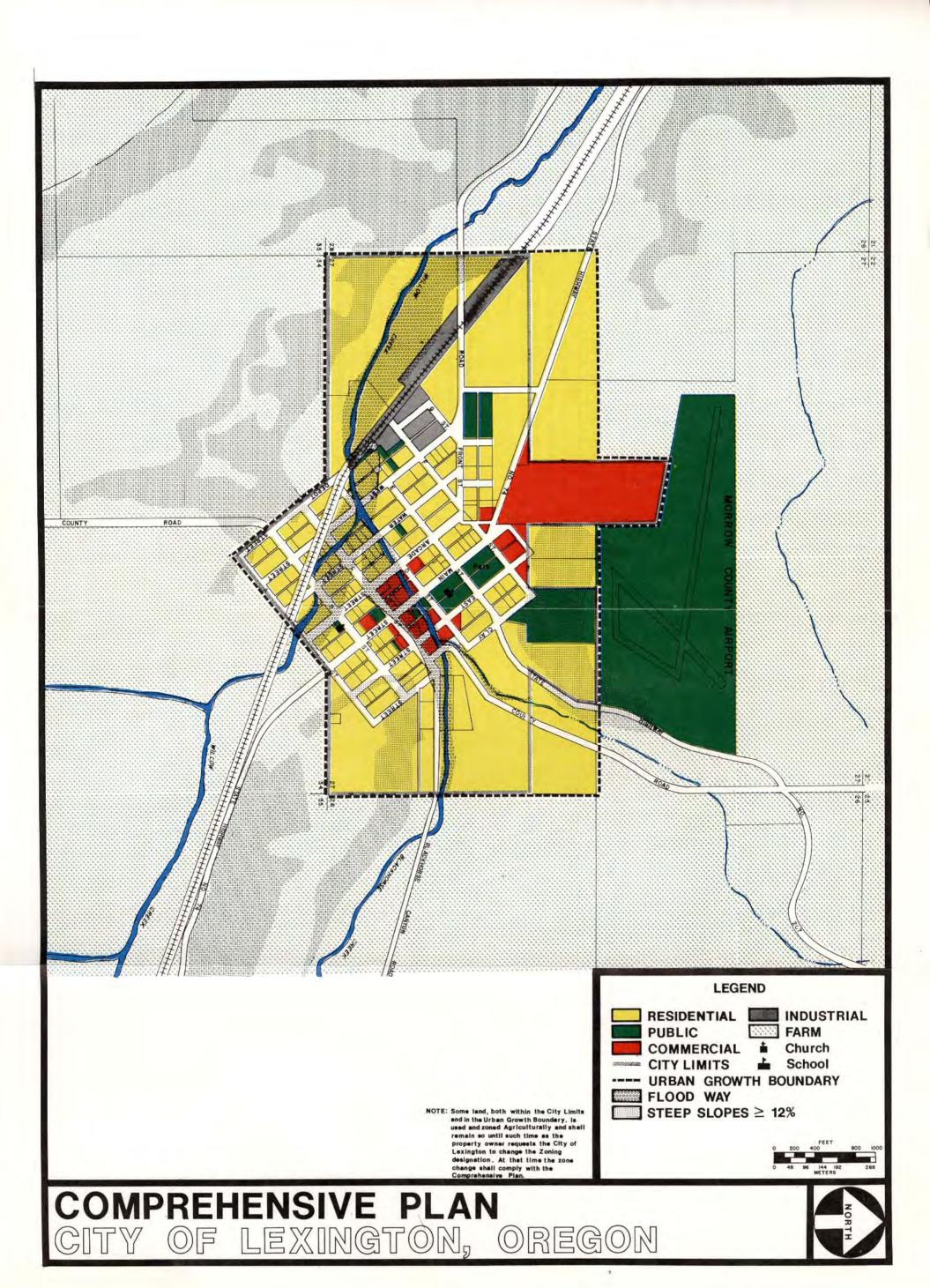


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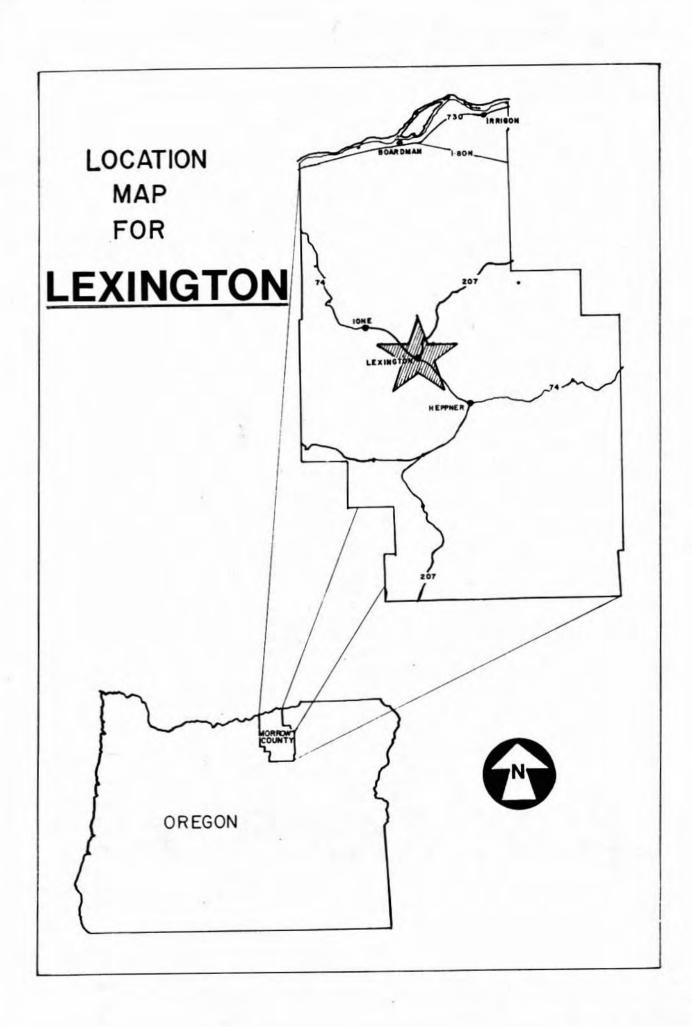
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FOREWORD

Lexington is located on Willow Creek in central Morrow County, about 30 miles south of Boardman and Interstate 80-N. Heppner is located about 9 miles south of Lexington and Ione about the same distance north of Lexington. The city was incorporated in 1903.

Lexington's Technical Report provides the background information, facts, and considerations that served as the basis for the city's land management plan, map, and objectives. Although not a part of the legally adopted plan, the technical report is necessary to understand why and how the plan's conclusions were reached. The technical report remains the supporting document that can be revised as new data becomes available.

The comprehensive plan is the culmination of the City Council's efforts. Public hearings have been held throughout the process and draft documents have been reviewed by the general public, Morrow County, and other elected officials and affected governmental agencies. The comprehensive plan, including the land management map and policies, and an Urban Growth Area Management Agreement were adopted by the Lexington City Council on July 11, 1978, and by the Morrow County Court on August 16, 1978. Comprehensive Plan policies were revised and Zoning, Subdivision and Mobile Home Park Ordinances were adopted by the City Council on June 5, 1979 and were co-adopted by the Morrow County Court on June 27, 1979.



INTRODUCTION

COMPREHENSIVE PLAN DESCRIPTION 7

I. Comprehensive Plan

The comprehensive plan is the public's conclusions about the development and conservation of the area, adopted by the appropriate City Council or the County Commissioners, and agreed to by all affected governmental units. It is the only all inclusive plan for a given geographic area.

Comprehensive means all inclusive in terms of the functional and natural activities in the area, such as:

- -- The natural resources of land, air, and water that are to be preserved, conserved, managed, or utilized;
- --The constraints related to development such as physical limitations of the public and private sectors to provide necessary services; or resource limitations such as inadequate stream flows or ground water resources to provide the water needed to support development, etc.;
- -- The locations for various types of land and water uses and activities in an area, such as residential, agricultural, commercial, forestry, industrial, etc.;
- --The utilities, services, and facilities needed to support the present and contemplated uses and activities; where they will be provided, and upon what conditions;
- --Considerations and the special values of the area, such as housing, energy supplies and consumption, improvements of the local economy, recreation needs, scenic areas, and the direction and nature of growth and development, if such is desired.

The term "plan" means the group of decisions made before changes are made in the area. A public plan, like a remodeling plan for a building, shows the present condition as well as any future changes. It shows the direction and nature of changes in land and water uses and what utilities, streets or other public facilities will be provided, etc. When a public improvement will be built or when a change in use is expected it is expressed by an estimated date, or the reaching of a population level or density or, the occurrence of another event such as the installation of a water line or the construction of a school.

The purpose of public planning is to make the public decisions in advance of construction of a facility, or the use of resources, so any differences are resolved prior to starting a project. Unnecessary project delays are avoided when the public and affected agencies have resolved any conflicts well before construction work begins.

* Oregon Land Use Handbook, Oregon Land Conservation and Development Commission, Chapter 70, pages 1 - 12.

The public's plan is a document upon which public agencies, private firms, and individuals must be able to rely so their decisions and investments can be made with confidence. People buying homes can do so, assured that the neighborhood they have selected won't change adversely. Farmers can make capital investments, certain that the adjacent areas will not be developed and preclude them from continuing their farming practices, causing them to be unable to pay for and use needed improvements.

Businesses can invest in new sites, confident that they can be used for their intended purpose, and that the needed services will be provided.

Public investments in water, sewer systems, schools, etc. can be made in an orderly manner, in keeping with the ability to pay for them.

The plan is the basis for other public implementation actions, such as zoning and subdivision decisions. These must be made in the total context of the overall need reflected in the plan.

When adopted, the plan expresses the coordination decisions of the public (individuals, groups, and organizations), incorporated with those of public agencies. In addition to setting forth the public's choices about how conservation and development will occur in their geographic area, the plan also incorporates the plans of all other governmental jurisdictions in that area. Fitting them together harmoniously, it interrelates needs, constraints, and services with natural resources. When completed, the comprehensive plan relates all decisions directly to the air, water, and land resources of the local area in a coordinated manner.

The plan is a statement of the choices made by the public, enacted by their City Council or County Commissioners. These are choices that are made consciously, and are not merely self-fulfilling prophecies of trends and projections. These choices can be made contrary to trends if the changes necessary to affect the trends are made too. These trends must be considered, but only as factors to be taken into account. The choices also reflect a consideration of the area's problems and needs, as well as social, economic, and environmental values. Practical and possible alternative solutions, providing the range of options available, must be considered in making the choices. This assures that the best possible solutions will be developed for the area.

II. Format of the Comprehensive Plan

The public's planning document consists of two parts. The first part is the adopted comprehensive plan, which contains the decisions about the uses of resources, and the provisions of services and facilities. The plan shows the decisions in the form of maps and policy statements. These are equivalent to a broad blueprint for the area: a blueprint that is interpreted when it is applied to specific situations through zoning and other implementation measures. The general plan is adhered to, but some designations, like "residential-single family", may be further refined into several single family residential classifications, depending on the needs of the area. For some jurisdictions the plan will be only a few pages in length; for others, it will take more space to set down the essence of the decisions.

The second part of the planning document consists of the background information, facts, and considerations that served as the basis for the conclusions. This background includes such items as the inventories showing the extent, characteristics, values and limitations of the planning area's resources. It also shows the use of property, property ownership lines and factors related to population and growth trends. The background information describes the nature of the economic base; its development and conservation implications. It also sets out the process that was followed to arrive at the choices made in the plan.

Although not a part of the legally adopted plan document, the background material is essential to understand why and how the plan's conclusions were reached. Whether included after the summation, or provided as a separate appendix, the background information affords the user of the plan more detailed information when it is needed to interpret the plan. It also serves as the basis for consideration of requests for changes and revisions. It provides the basic information needed to understand how the facts were used to reach the conclusions made in the plan. This can be important to assure continuity in the review and updating of the plan.

The plan may cover all of the area within a jurisdiction; it may be composed of plans for subareas, or parts, of the jurisdiction. When area plans are used, they are consolidated through, and fit within, a more generalized, overall plan. The nature of the plans of adjacent areas, and the responsible governing bodies, should be noted also.

The amount of detail needed depends on the nature of the area involved; its size, character and pace of change. The level of detail may not need to be uniform throughout the plan. Some areas within the jurisdiction may need more precision than others. The plan may be fairly general in large homogeneous areas, such as agricultural and forested regions. However, it will need to be detailed in situations where it is important to recognize a boundary between areas, or to identify property lines that will be specific in concentrated areas so that the level of needed services can be determined reliably.

Traditionally, comprehensive plans were supposed to be long range, encompassing twenty plus years, and were quite general. A long-term plan is still necessary to provide a general idea of how growth is to take place; what services will be needed and the management required to conserve resources. However, a short-term plan is more specific in areas that are being urbanized, renewed, or where change is occurring at such a rate that confident decisions cannot be made beyond five to ten years.

The plan is adopted by:

- The City Council for an incorporated area;
- **b.** Both the County Court and the City Council for an unincorporated portion within an urban growth boundary;
- c. The County Court for an unincorporated portion of the county.

The completed plan incorporates the plans of all units of government in the area, and provides a common basis for decisions regarding conservation and development in each city and county; all affected agencies are expected to use it. Each comprehensive plan provides a place for each governmental unit affected by the plan to sign, expressing their agreement with the plan. This signature is a commitment to use the plan and not an agreement to take any actions inconsistent with the plan.

The plan is agreed to by:

- a. Each special district having any land related responsibilities within the plan area, such as water, sewer, solid waste, schools, roads, ports, irrigation, fire, soil conservation, etc.;
- Each state and federal agency having responsibilities for regulations, standards, services, property, or the operation and maintenance of facilities in the area;
- c. Optimally, semi-public agencies, such as electric and telephone companies should also be asked to sign the plan, since they are directly affected by the public's decision.

III. Responsibilities for Preparation and Revision

The fitting together smoothly of all parts of the plan is one of the most important features of a comprehensive plan. Coordination occurs primarily during the preparation of the plan by involving all affected people and agencies throughout the development of the plan. These plan and development coordination responsibilities include:

- a. Each city and county is responsible for the preparation of the plan for its jurisdiction. However, both the city and county have the responsibility for working together to jointly prepare the plan for an urban growth area.
- b. The County, under ORS Chapter 197, is charged with the responsibility of coordinating the plans of cities and special districts. CRAG has been designated by the Legislature to perform these functions in the area covered by Clackamas, Multinomah and Washington Counties. Other areas may select an alternative Coordination Body under the procedures of ORS 197.190.
- c. Each special district is also responsible for working with the city and county, to make sure the functional part of their area is consistent with the comprehensive plan for the area.
- d. Each state and federal agency has the responsibility of working with each city and county to incorporate the agency's plans into the comprehensive plan.

To achieve the objective of public understanding and support of the plan, as well as assuring that the plan reflects the desires and needs of the people it is designed to serve, it is essential that the public be

involved throughout the entire process of the making of the plan. Real, useable, involvement opportunities must be created during every phase of the plan development. The public includes:

- -- The general citizenry of the area;
- -- All property owners;
- -- Groups; clubs and organizations;
- --Firms; businesses; corporations; private agencies, such as associations, firms, partnerships, joint stock companies; any group of citizens.

The plan development process must also include:

- -- All affected local, state, and federal agencies;
- -- Public utility and public service groups and organizations.

Further, opportunities for input must include those not living in the area, so they can participate in discussions concerning issues of more than local interest, such as areawide, regional, state, and national concerns.

The plan is not cast in concrete. It is a public plan by a changing society in a developing and renewing, dynamic situation. The plan must be reviewed periodically to assure that it reflects the desires and needs of the people it is designed to serve; that the plan is achieving the desired stated objective. However, it must not be changed dramatically or capriciously at each review if individuals, organizations, and public agencies are to be able to rely on it. If the review takes place with reasonable frequency, then most adjustments will be small and easily accommodated. It is essential that those people and agencies, as well as the general public who were involved with the preparation of the plan, be given the opportunity to be included in any review so their understanding and support of the plan will continue.

SUMMARY

CHAPTER I

Summary and Conclusions

Lexington's economy is based on its proximity to surrounding farms and on its importance as a local trade and service center. The largest employer in the city is Morrow County Grain Growers who maintain their headquarters there. Growth in agri-business and energy-generating facilities in Northern Morrow County is not expected to influence Lexington greatly, though the city will probably realize a portion of the county's growth.

Somewhat more than half of the respondents to the Lexington Community Survey felt additional growth was undesirable. Generally, most city residents want to maintain the present character of the city. Other factors affecting growth in Lexington include availability of land for development, city policies regarding zoning and annexations, and lack of a sewer system.

Population projections now available for Lexington indicate the city can reasonably plan for about 155 additional persons by the year 2000, which would bring the total population to 400. The increased population would require about 16 acres for residential needs and might provide the impetus for more land to be used commercially.

Lexington has designated land along the Union Pacific Railroad for industrial development. No other tracts have been set aside for development for several reasons. The city feels it does not have adequate resources such as a sewer system, suitable land, and good freight and transportation linkages to warrant realistically setting aside additional land for industrial use at this time. Also, responses to the community survey indicated that most residents (69%) believed industry and the jobs it brings to be needed "not much" or "none".

The topography of Lexington presents the city with special problems. The city is located along Willow Creek downstream from Heppner where Blackhorse Creek and several intermittent streams flow into Willow Creek. The area is subject to cloudbrusts that can cause serious flash flooding and mud slides. Consequently, the Federal Insurance Administration has contracted with the Corps of Engineers to delineate flood plain and floodway areas for the City. Preliminary maps and elevations have been prepared and indicate that most of the downtown commercial area and several of the residences are located in the floodway and flood plain. Lexington is participating in the Department of Housing and Urban Development, Federal Insurance Administration's flood insurance program and expects to participate in the regular program upon completion of the flood plain study.

Comprehensive plan objectives and the resulting plan map (and urban growth boundary) were drafted to address the aspirations, problems, and needs of the city. Population projections, soil capabilities, flood plain boundaries, feasibility of extending city services, availability of land inside and outside city limits, and other natural resource and socio-economic information was evaluated.

Since there are relatively few persons who own land surrounding Lexington and since most own large parcels, an effort was made to include in the urban growth boundary the areas most likely to become available for development. Consequently, the city has included about 60 acres north of the city limits in the urban growth boundary. About 37 acres could be readily built on as it is not limited by steep slopes or flood plain restrictions. Additional land may be built on with construction techniques suited to slopes of greater than twelve percent.

About 10 acres of the land included in the Urban Growth Boundary lies below the Morrow County Airport's cross wind runway. The City Council and affected property owners discussed the implications of designating this property for furture development at a public hearing held on June 5, 1979. Since the cross wind runway is used infrequently and the property below the airport breaks steeply away from the runways, the city determined to leave the property within the growth boundary. Property to the north of the airport could more reasonably be used for future airport expansion and clear zones than that between Lexington and the airport.

Though the area included in the urban growth boundary is somewhat more than simple calculation may indicate a need for, the city feels it is reasonable in view of the limitations of the floodway and flood plain areas, the availability of land for development and the lack of a sewer system that would allow the city to utilize some platted city lots.

Present agricultural zoning of land within the city and in the urban growth boundary will remain until such time as demand and availability make it necessary to convert such land to residential uses. This will enable farm owners to maintain land in agricultural use but will also allow for city expansion as it is needed.

Lexington and Morrow County have developed an Urban Growth Area Joint Management Agreement which will guide development within the urban growth area. Annexation procedures, plan and ordinance implementation, provision of city services, road management, and the process for plan review and revision are addressed. The agreement is included in the appendix of this report.

Zoning, Subdivision and Mobile Home Park Ordinances were adopted by the Lexington City Council on June 5, 1979. A Draft Flood Area Management Ordinance was also prepared from FIA models. It will be reviewed for adoption upon completion of the flood plain study, scheduled for late 1979. These implementation measures will guide future development in the city. They are included in the appendix of this report.

The comprehensive plan provides the legal framework for land use decisions within the city, and to some degree, within the urban growth area. Though it cannot be changed capriciously, the plan must remain a dynamic document. As the city's needs change or as new data becomes available, the technical report must be updated and the comprehensive plan amended according to the procedure addressed in the Urban Growth Area Management Agreement, Plan Ordinances, and Oregon law.

SUMMARY OF FINDINGS

CHAPTER II

Summary of Findings

Goal 1: <u>Citizen Involvement</u> - To develop a citizen involvement program that insures the opportunity for citizens to be involved in all phases of the Planning process.

- The Lexington City Council served as the Committee for Citizen Involvement in Lexington.
- Monthly City Council meetings were open to the public.
- A community attitude survey was conducted to obtain information about the needs, desires and opinions of city residents in the fall of 1976.
- Copies of the draft goals, objectives, and sketch plans were mailed to all city post office box holders and the technical reports are available for review at city offices.
- Public hearing notices were published at least ten days before the hearing and then again a day or two prior to the hearing in the East Oregonian and the Heppner Gazette Times.
- Public hearings were held by the City Council to discuss the draft goals and objectives and also to revise and adopt the comprehensive plan.
- Goal 2: <u>Land Use Planning</u> To establish a land use planning process and policy framework as a basis for all decisions and actions related to the use of land and to assure an adequate factual base for such decisions and actions.
- The comprehensive plan map, goals, objectives and technical report provide the necessary data for developing a policy framework for decisions relating to land use in Lexington.
- The procedure and time frame for review and revision of the comprehensive plan is detailed in Appendix E, Plan Ordinance.

Goal 3: Agricultural Lands - To preserve and maintain agricultural lands.

- Soils data including capability classes and limitations ratings were obtained for the land within and surrounding Lexington. (SCS, 1976)
- The soils surrounding Lexington are primarily of capability classes III and IV. Some class VII soils are found on surrounding hills.
- Lands zoned for agricultural use in the city limits and urban growth area shall remain so until a zone change is requested. At that time the zone change shall comply with the comprehensive plan.

Goal 4: Forest Land - To conserve lands for forest uses.

 There is no forest land within Lexington or in the area surrounding the city.

- Goal 5: Open Spaces, Scenic and Historic Areas, and Natural Resources To conserve open space and protect natural and scenic resources.
- There are no identified scientific, archaelogical or historic areas within Lexington. The Barnett Hotel and I.O.O.F. Hall have been included in the 1976 Statewide Inventory of Historic Sites and Buildings.
- Goal 6: Air, Water, and Land Resources Quality To maintain and improve the quality of the air, water and land resources of the state.
- Air quality at Lexington is good and is within standards set by the Department of Environmental Quality. Dust from grain harvesting and storing may be a seasonal nuisance.
- Water quality is good at Lexington and is within D.E.Q. standards.
- Solid waste disposal facilities are provided at Heppner with pick up service in Lexington and are adequate for present and projected needs. A metal waste site is also located at Lexington.
- Goal 7: Areas Subject to Natural Disasters and Hazards To protect life and property from natural disasters and hazards.
- Lexington is participating in the Department of Housing and Urban Development, Federal Insurance Administration's emergency flood insurance program and plans to participate in the regular program upon completion of the final flood area study.
- The Corps of Engineers is in the process of mapping the floodway, calculating flood elevations, and finalizing flood plain delineation. The study is scheduled for completion in late 1979.
- Several of the city's existing residences and virtually all of the downtown commercial area lie within the floodway boundaries while additional developed and undeveloped property lies within the flood plain.
- Much of the land surrounding Lexington is of greater than 12% slope and has severe limitations for construction of buildings, roads, and drainfields.
- Goal 8: Recreational Needs To satisfy the recreational needs of the citizens of Lexington and visitors.
- Lexington has a city park with athletic fields that provides opportunities for outdoor recreation. There is need of meeting places and recreation facilities for city residents of all ages.
- The forest land and lakes south and east of Lexington provide opportunities for outdoor sports including hunting, fishing, hiking, camping, picnicking, and winter recreational activities.

- Goal 9: Economic Development To diversify and improve the economy of Lexington.
- Lexington is an agricultural trade and service center for surrounding farm families and city residents.

Goal 10: Housing - To provide for the housing needs of citizens of Lexington.

- A housing condition survey was conducted in May, 1977 to determine the condition and number of housing units in the city.
- There is very little available housing for new residents of the city.
- Most community survey respondents recognized substantial need of low and moderately priced single family homes to buy and rent and mobile homes. Fewer respondents indicated a need for higher priced homes, duplexes and multi-family housing.
- Mobile homes are an outright use in all residential zones of the city, enabling the city to meet the diverse housing needs of area residents.
- Lack of a sewer system precludes multi-family or mobile home park construction throughout most of the city, however, both are allowed as conditional uses.

Goal 11: <u>Public Facilities and Services</u> - 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.

- Lexington's present sewage facilities are individual septic tanks and drainfields and/or dry wells.
- Lexington's water supply is adequate for present and projected population needs. Present distribution lines are adequate though some construction is needed to equalize pressure throughout the system. The lines can be extended as development occurs.
- Services such as fire, social and health, parks and recreation, communications and solid waste disposal are generally adequate to meet present needs. There is some need of improvement in policy services according to community survey results.

Goal 12: <u>Transportation</u> - To provide and encourage a safe, convenient and economic transportation system.

- Most city streets are paved and are well maintained.

- Union Pacific Railroad and State Highway 74 provide freight access for Lexington's commercial enterprises and grain elevators. Passenger access to Lexington is provided by state and county highways.
- Commercial, air, bus, and amtrak services are available at Pendleton, Boardman, or Hermiston.
- Morrow County Airport is located just north of the Lexington Urban Growth Boundary. At such time as the Aeronautics Division of the Oregon Department of Transportation calculates and maps a clear zone for the cross wind runway, Lexington and Morrow County will evaluate comprehensive plan designations for affected property.

Goal 13: <u>Energy Conservation</u> - To conserve energy.

- It is possible to conserve energy in Lexington through the following measures:
 - 1) Design the upgrading of water lines to minimize energy use.
 - Implement zoning and subdivision ordinances to protect sun rights and to provide for landscaping to reduce summer cooling needs.
- Lexington's climate is suited for utilization of solar and wind resources.

Goal 14: <u>Urbanization</u> - To provide for an orderly and efficient transition from rural to urban land use.

- The comprehensive plan provides the basis for controlling and directing the transition of land from rural to urban use. An urban growth boundary was established to separate land to be developed for residential and commercial use from land to remain in rural and agricultural uses. This separation encourages maximum utilization of land on the fringes of the city and provides for orderly and efficient extension of city services to areas where growth occurs.
- Annexation to the city will be limited to land included within the urban growth boundary:
 - (a) LCDC Administrative Rule, "City Annexations-and Application of Goals within Cities" adopted 2-9-78, filed with Secretary of State on 2-16-78,
 - (b) Peterson v. Klamath Falls 279 OR 247 (1977).
- A joint management agreement between Morrow County and the City of Lexington was developed to provide policies and regulations to manage land development within the urban growth boundary and outside city limits and to provide for future modification of the urban growth boundary.

CITIZEN INVOLVEMENT

CHAPTER III

Citizen Involvement

Lexington's City Council has acted as the city's Committee for Citizen Involvement since May, 1976, when the city began working toward obtaining planning assistance. The City Council has involved a cross section of city residents in all phases of the planning process. Council meetings were held monthly and were open to the public.

The city conducted a community attitude survey in the Fall of 1976 to determine community needs, desires, and opinions about city services, growth, housing, recreational facilities and other concerns. Results were summarized and published in the Heppner Gazette Times.

Copies of the comprehensive plan draft goals and objectives were mailed to all city boxholders during the first week of October, 1977. A public hearing was held on October 18, 1977, to discuss the draft goals, objectives, initial sketch plan and urban growth boundary location. Public notice was published in the East Oregonian and the Heppner Gazette Times ten days before the hearing and then again a day or two before the hearing.

In early January, 1978, the draft sketch plan was printed and copies were mailed too all city boxholders. A printed response sheet was enclosed for anyone wishing to make written comments. The City Council held a public hearing on January 24, 1978, to discuss the draft comprehensive plan with public notice given as it was for the earlier hearing. Some changes and corrections were made as a result of the hearing and the resulting map was adopted by the City Council on February 7, 1978.

An informational hearing with city representatives from Heppner, Ione, Irrigon, and Lexington, and Morrow County Planning Commission members was held on January 30, 1978, in Heppner. The meeting provided city representatives the opportunity to present their draft plans to the County Planning Commission and to discuss areas of mutual interest and concern. A similar hearing was held on April 17 following city adoption of draft plans. The County Planning Commission prepared findings and recommendations on the plans and forwarded them to the Morrow County Court. The Court reviewed the draft plans at a public hearing on February 19.

In April, the Draft Technical Report was printed and distributed to affected governmental agencies, elected officials, and other interested persons. Copies were available for public review at the Morrow County Library at Heppner, the Morrow County Planning Department, and Ione Library, and by contacting the City Recorder. A public notice to that effect was published in the Heppner Gazette Times and the East Oregonian.

A model urban growth area joint management agreement, model zoning, mobile home park and subdivision ordinances were distributed to city council and planning commission members and public hearings were held on May 30, 1978 and June 27, 1978 to discuss them. The comprehensive plan and urban growth area management agreement were adopted by the city council on July 11, 1978.

The city's comprehensive plan was reviewed by the Morrow County Planning Commission on June 26 at a public hearing and was recommended for County Court adoption. The Morrow County Court adopted Lexington's plan by ordinance and signed an urban growth area management agreement with the city on August 16, 1978.

As a result of new floodway and flood plain information released by the Corps of Engineers in September, 1978, Lexington re-evaluated its comprehensive plan and implementing ordinances. Public hearings were held on May 22 and June 5, 1979 to adopt the comprehensive plan revisions, subdivision, zoning and mobile home park ordinances. The Morrow County Planning Commission recommended County Court co-adoption on June 25 and the County Court co-adopted the plan revisions and ordinances on June 27, 1979.

Included in this chapter and in the appendix are copies of public notices, the community attitude survey, technical report distribution list, correspondence and comments received pertaining to the plan. Public involvement has been an integral part of the planning process in Lexington and will continue to be.

Lexington Draft Technical Report Distribution List

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Lexington City Council Members (6)
Mayor Padberg (1)
Dave Moon, Morrow County Planning Director (1)
Morrow County Planning Department - counter copy (1)
Doris Graves, Morrow County Planning Commission Chairperson (1)
Morrow County Court (1)
Terry Hager, Heppner Gazette Times Editor (1)
Harold Kerr, Extension Agent, Heppner (1)
Matt Doherty, Morrow County School District Superintendent (1)
Bob Adelman, Soil Conservation Service, Heppner (1)
Jim Kennedy, LCDC Field Representative, La Grande (1)
Jim Knight, LCDC, Salem, (1)
Hilary C. Heizenrader, Portland General Electric, Portland (1)
Senator Mark Hatfield, Washington D. C. (1)
State Senator Ken Jernstedt, Hood River (1)
State Senator Jack Sumner, Heppner (1)
Chuck Steele, HUD Federal Insurance Administration, Seattle, WA (1)
Ron Barrett, U.S. Army Corps of Engineers, Walla Walla, WA (1)
Heppner City Library (1)
Lexington City Hall - counter copies (6)
George Strawn, Oregon Department of Transportation, La Grande (1)
Stan Wallulis, Wallulis & Associates, Consulting Engineers (1)
Cindy Murphy, Oregon State Parks, La Grande (1)
Ron Eber, LCDC, Salem, OR (1)
Bob Byrnes, Administrator, Pioneer Memorial Hospital, Heppner (1)
Steve Gardels, Department of Environmental Quality, Pendleton (1)
Bob Harris, Far West Realty, Heppner (1)
Jeri Cohen, Planning Coordinator, Morrow and Umatilla Counties,
    E.C.O.A.C., Pendleton (1)
Morrow County Assessor's Office (1)
Ione City Library - counter copies (2)
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Summary of Written Responses Received on Lexington's Comprehensive Plan

4 responses received 1 non supportive of draft plan 3 no opinion expressed

Concerns mentioned:

1 letter	- as updated flood plain delineation is available, will it be used for flood insurance purposes?		
1 100001	 soil conservation measures should be given consideration in new flood plain study. 		
1 letter	plan objectives may not be applicable to Lexington.no land zoned "commercial" for future growth.		
1 letter	- correction of church symbol location.		
1 letter	- wants plan "more to the wishes of the citizens of Lexington."		



OREGON STATE HIGHWAY DIVISION

Region 5 Office W. E. Schwartz, Region Engineer

P. O. Box 850 ... La Grande, Oregon 97850 ... Phone 963-3177

April 25, 1978

BERT W. STRAUB

F. B. KLABOE Administrator and In Highway Engineer

> The Honorable Lee-Padberg Mayor of Lexington Lexington, Oregon 97839

Dear Mayor Padberg:

RECEIVED

APR 2 8 1978

E.C.O.A.C.

In my position as ODOT's Planning Representative, I will be responsible for working with your jurisdiction in the development of your comprehensive plan and implementing ordinances. As well, I will be available to attend meetings and provide review comments on your plan and ordinances as they relate to our Department's programs and responsibilities. To make my participation effective, I will need as much advance notice as possible of the meetings related to the development of your comprehensive plan. It would also be very helpful if you could provide me with a copy of your draft plan and ordinances for my review.

I would like to make one additional request for information. As you know, many local zoning decisions are important to the Department of Transportation because of their effects on our transportation facilities. Therefore, would you please notify me of all proposed zone changes and subdivision applications that may affect State highways, aggregate sources, and airports.

I will contact the jurisdictions within Region 5 (see attached map) in the order of their compliance dates. If you would like to get together before that time, please contact me at the above address.

I look forward to working with you.

Sincerely,

George Strawn

Planning Representative

GS/dlm Enclosure

cc: Marie Hall



ROBERT W. STRAUB

F. B. KLABOE Administrator and State Highway Engineer

OREGON STATE HIGHWAY DIVISION

PARKS AND RECREATION

BOX 850

LAGRANDE, OREGON 97850

JUNE 12, 1978

RECEIVED

JUN 13 1978

E.C.O.A.C.

Marie Hall E.C.O.A.C. Box 339 Pendleton, Ore. 97801

Dear Marie,

Thank you for the opportunity you have provided the Oregon State Parks Branch to review the Draft Technical Reports for the cities of Heppner and Lexington. I realize that we are past the date you set for accepting comments. We do our best to get them back to you on time, but since I have to route the plans through Salem to give the different sections a chance to comment, it sometimes is impossible to make the deadline. There are some suggested additions from the Historical Section, regarding Heppner, which I have listed below:

1) Possibly the plan could propose some means of resolving land use conflicts concerning cultural resources.

2) We note that protection is stated as a goal, ideally we would like to see further surveys and developments cited as a goal also.

The following comments are concerning the city of Lexington, again from the Historic Preservation Section:

1) The plan could possibly mention some course of action for survey, treatment, or development of historic resources.

2) The plan also mentions several properties listed in the Statewide Inventory, we would suggest a policy for protection fo these areas.

I would like to add at this time that the Statewide Comprehensive Outdoor Recreation Plan(SCORP) has developed recreation demand, supply, and needs data for all Oregon Counties. This information could provide valuable assistance and cost savings in your future planning efforts.

Overall, I feel both plans are commendable pieces of work, and I hope you will consider these additions to strengthen the historical aspect of you

plans, and help you in planning the recreation element in future plans. Thank you for your time.

Assar France

Region Supervisor .. Oregon State Parks

Sincerely,

Cindy Murphy

Planning Representative Oregon State Parks

cm

cc: Wally Hibbard; Sam Dennis; Jeri Cohen; Elisabeth W. Potter; George S

Form 81-734-3122

RECEIVED

MAR 3 0 1978

E.C.O.A.C.

Notice of Public Hearing

The Lexington City Council and Planning Commission will hold a public hearing to obtain comments on the Draft Goals and Objectives for Lexington's Comprehensive Plan on Tuesday, October 18 at 7:30 p.m. at Lexington City Hall. A brief presentation will be made on the information that has been collected during the planning process and the urban growth boundary will be discussed.

Copies of the Draft Goals and Objectives will be mailed out to all residents of Lexington before the public hearing. Other interested persons may obtain this material by calling 276-6732 or writing Marie Hall, ECOAC, P.O. Box 339, Pendleton, Oregon 97801.

Lexington City Council Lexington Planning Commission Published October 6, 13, 1977

AFFIDAVIT OF PUBLICATION

County of Morrow ss:
I, Terry M. Hager
being first duly sworn, depose and say that
am the General Manager of the HEPP
NER GAZETTE-TIMES, a newspaper of gen-
eral circulation, as defined by O.R.S. 193.010
and 193.020; printed and published at Heppner,
Oregon: that theNotice of Public
Hearing
a printed copy of which is hereto annexed, was
published in the entire issue of said newspaper for successive and consecutive
weeks in the following issues: Oct. 6, 13,
1977.
Jerry m Haye
Subscribed and sworn before me this
27 day of
milton Ray Boys
Notary Public for Oregon
My Commission Expires: 3-22-79
(SEAL)

		AFFIDA PUBLICAT			
		Equity \ No.	•		
STATE OF OREGO)N, }ss.				
		ncipal clerk of the publ			
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Oregonian, a newspap	per of general circ	ulation, as defined by	isher of the East y ORS 193.010	EO-172 NOTICE OF PUBLIC HEARING	1
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MY COMMISSION EXPIRES SEPT. 8, 1980 THO WOTE ONE I MANGESSED 12 AM

Notary Public of Oregon



PUBLIC NOTICE

Lexington City Council old a public hearing to comments on the Lexin Draft Comprehensive on Tuesday, January 24, at 7:30 p.m. at the gton City Hall. Copies of aft Comprehensive Planhailed to all residents of gton on Friday, January

Lexington Draft Plan ical Report will be ible for review beginning te January, 1978, at gton City Hall, the East al Oregon Association of ies office in Pendleton, forrow County Planning Department in Heppner, and the Department of Land. Conservation and Development office in Salem. Material will be added to the technical report as developed through May, 1978. The draft plan objectives will be revised, after review and comment, to be adopted as city policy.

Anyone who has questions or comments concerning the draft plan or technical report may contact Marie Hall, East Central Oregon Association of Counties, Post Office Box 339, Pendleton, Oregon 97801, or may telephone toll free 1-800-452-8112.

Published Jan. 12, 19, 1978

AFFIDAVIT OF PUBLICATION

	STATE OF OREGON SS:
	I, Terry M. Hager
	being first duly sworn, depose and say that I
	am the General Manager of the HEPP-
	NER GAZETTE-TIMES, a newspaper of gen-
	eral circulation, as defined by O.R.S. 193.010
	and 193.020; printed and published at Heppner,
	Oregon: that thePublic Notice
	a printed copy of which is hereto annexed, was
	published in the entire issue of said newspaper
	fortwo successive and consecutive
	weeks in the following issues: Jan. 12, 19.
	1978.
- 7	
	Level m Jay
	Subscribed and sworn before me this
	29 day of 1724-12 1975
	29 day of 124-16, 1975.
	Notary Public for Oregon
	My Commission Expires: 3-22-79
	(SEAL)

IN THE	- 111	COURT	OF THE	
STATE OF	OREGON FOR	UMATILLA C	COUNTY	
			AVIT OF TION OF	
		Equity } No	0	
STATE OF OREGO	ON, }ss.			
I. Connie Fo	rd		_ being first duly	
Oregonian, a newspap and 193.020; printed a state; that theE0		dleton in the afore		EO-336 PUBLIC NOTICE
3	- Lavi			The Lexington City Counce hold a public hearing to (comments on the Lexington Comprehensive Plan on Tue
a printed copy of which		was published in		January 24, 1978, at 7:30 p. the Lexington City Hall. Cop the Draft Comprehensive were mailed to all resider Lexington on Friday, Janui 1978. The Lexington Draft Technical Report will be ava
the following issues:	ORTO COULING COULING		, 19.7 <u>8</u>	for review beginning in January, 1978, at Lexington Hall, the East Central O Association of Counties offi Pendleton, the Morrow C Planning Department in Hep and the Department of Land Servation and Development
Subscribed and sw	orn to before me this	ii Ford	day of	in Salem. Material will be add the technical report as deve through May, 1978. The draft objectives will be revised, review and comment, to be a ed as city policy.
January	, 1978			plan or technical report may tact Marie Hall, East Ce Oregon Association of Cou Post Office Box 339, Pend
	Jaturia.	10 C	sate,	Oregon 97801, or may telest toll free 1-800-452-8112. January 13, 23, 1978
	1	Notary Public of C	regon .	

IN THE	COURT OF THE		
	FOR UMATILLA COUNTY		
	AFFIDAVIT OF PUBLICATION OF		
	.}		10
	Equity No		
STATE OF OREGON, County of Umatilla			
I, Beverly Krosting	being first duly		
sworn, depose and say that I am the	e principal clerk of the publisher of the East		
	at Pendleton in the aforesaid county and		24
state; that the E0- 589 Publi		· ·	
	nnexed, was published in the entire issue insertions in 19.78	PUBLIC NOTIC The Morrow County hold a public hearing or day. April 19, at 10:00 a Morrow County Court Heppner to make find recommendations on comprehensive plans of Ione, Irrigon, and Lexins Anyone who has quu comments may attending, or write Mr. Dave M rew County Planning De Heppner Oregon 97816, o Post Office Box 339, 1 Oregon 97801, or may cal-1809-452-8112. Morrow County Court Heppner, Oregon April 8, 18, 1978	Nednes- m. at the inpuse in lings and the draft Heppner, ston. son. son. Mor- partment, r ECOAC, Pendleton,
Subscribed and sworn to before	me this day of		
April			
	Notary Public of Oregon		

MY COMMISSION EXPIRES SEPT. 8, 1930

IN THE	COURT OF THE
STATE OF OREGON FOR	UMATILLA COUNTY
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	AFFIDAVIT OF
	PUBLICATION OF
	}
	Equity No
	Law }No
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CELLER OF ODDGOV	
STATE OF OREGON,	
County of Umatilla	
Beverly Krosting	being first duly
sworn, depose and say that I am the princ	ipal clerk of the publisher of the East
Oregonian, a newspaper of general circul	lation, as defined by ORS 193.010
and 193.020; printed and published at Per	ndleton in the aforesaid county and
state; that the E0- L87 Public No	
state, that the	
a printed copy of which is hereto annexed	was published in the entire issue
of said newspaper for succes	
	ssive and consecutive in
the following issues:	
May 5th	and 17th , 19 78
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Becce	an gratting
Subscribed and sworn to before me the	isday of
May 1978	
1910	
Latie.	C Carpunda
	Notary Public of Oregon
	MY CO

PUBLIC NOTICE

The City of Lexington's Comprehensive Plan - Technical Report is available for public review at the Heppner Library, Morrow County Planning Department in Heppner, the lone Library and may also be obtained by calling Lois Allyn at 989-8419. The technical report provides background information, facts consideration will be accepted until May 31, 1978. Please mail written comments to Marie Hall, East Central Oregon Association of Counties, P.O. Box 339, Pendleton, OR 97801. The comprehensive plan objectives, map and technical report will be subject to review and revision until final plan adoption in June, 1978.
Lexington City Council Lexington, Oregon May 5, 17, 1978

AFFIDAVIT OF PUBLICATION

	STATE OF OREGON county of Morrow ss:
	I, Terry M. Hager
	being first duly sworn, depose and say that I am the General Manager of the HEPP-NER GAZETTE-TIMES, a newspaper of general circulation, as defined by O.R.S. 193.010 and 193.020; printed and published at Heppner, Oregon: that the
	Public Notice
	a printed copy of which is hereto annexed, was published in the entire issue of said newspaper forThis successive and consecutive weeks in the following issues:
	May 11, 18, 1978
	Livy huden
	Subscribed and sworn before me this
141	7th day of June , 1978.
	Notary Public for Oregon
-	My Commission Expires: 1224.25, 1982

PUBLIC NOTICE The City of Lexington's Comprehensive Plan-Technical Report is available for public review at the Heppner Library, Morrow County Planning Department in Heppner, the Ione Library and may also be obtained by calling Lois Allyn at 989-8410. The technical report provides background information, facts and considerations that provided the basis for the city's draft comprehensive plan. Comments on the Draft Technical report will be accepted until May 31, 1978. Please mail written comments to Marie Hall, East Central Oregon Association of Counties, P.O. Box 339, Pendleton, OR 97801. The comprehensive plan objectives, map

subject to review and revision
until final plan adoption in
June, 1978.
Lexington City Council
Lexington, Oregon
Published May 11, 18, 1978.

and technical report will be

JUN - 81978

(SEAL)

AFFIDAVIT OF PUBLICATION

STATE OF OREGON county of Morrow ss:
I, Terry M. Hager
being first duly sworn, depose and say that I am the General Manager of the HEPP-NER GAZETTE-TIMES, a newspaper of general distribution of the Section of th
eral circulation, as defined by O.R.S. 193.010
and 193.020; printed and published at Heppner, Oregon: that theFublic Notice
a printed copy of which is hereto annexed, was
published in the entire issue of said newspaper
forTuo successive and consecutive
weeks in the following issues:
May 18, 25, 1978
Jerry M Loger
Subscribed and sworn before me this
Notary Public for Oregon
My Commission Expires: 1/124-25, 1982
(SEAL)

PUBLIC NOTICE

The Lexington City Council will hold a public hearing on Tuesday, May 30 at 8:00 p.m. in the City Hall to obtain comments on the Draft Technical Report, Urban Growth Area Joint Management Agreement and model subdivision ordinance. All interested persons are invited to attend and express their views or to mail written comments to Marie Hall, East Central Oregon Association of Counties, P.O. Box 339, Pendleton, Oregon 97801 or to call toll free 1-800-452-8112.

Lexington City Council Lexington, Oregon Published May 18, 25, 1978.

RECEIVED
JUN - 81978

IN THE	COURT OF THE
STATE OF OREGON FOR	UMATILLA COUNTY
	AFFIDAVIT OF
	PUBLICATION OF
	Equity No
STATE OF OREGON, County of Umatilla	
I Beverly Krosting	being first duly
sworn, depose and say that I am the princip	
Oregonian, a newspaper of general circulate and 193.020; printed and published at Pend	
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a printed copy of which is hereto annexed,	was published in the entire issue
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the following issues:	
	May 19 & 25th 19 78
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Subscribed and sworn to before me this	25th day of
May 19 78	

PUBLIC NOTICE

The Lexington City Council will hold a public hearing on Tuesday, May 30 at 8:00 p.m. in the City Hall to obtain comments on the Draft Technical Report, Urban Growth Area Joint Management Agreement and model subdivision ordinance. All interested persons are invited to attend and express their views or to mail written comments to Marie Hall, East Central Oregon Association of Counties, P.O. Box 339, Pendleton, Oregon 97801 or to call foll free 1:800-452-8112. Lexington City Council Lexington, Oregon May 19, 25, 1978



Patricia & Largeton

Notary Public of Oregon

SEPT. E. 1980

AFFIDAVIT OF PUBLICATION

County of Morrow ss:
I, Terry M. Hager
being first duly sworn, depose and say that I am the Managing Editor of the HEPP-
NER GAZETTE-TIMES, a newspaper of gen-
eral circulation, as defined by O.R.S. 193.010
and 193.020; printed and published at Heppner, Oregon: that the Public Notice
a printed copy of which is hereto annexed, was
published in the entire issue of said newspaper
forTwo successive and consecutive
weeks in the following issues:
June 15, 22, 1978
Serry M Hager
Subscribed and sworn before me this
5th day of July , 1978.
Notary Public for Oregon
My Commission Expires: May 25, 1982

PUBLIC NOTICE.

The Lexington City Council will hold a public hearing on . Tuesday, June 27, at 8:00 p.m. at the Lexington City Hall to consider adoption of a final comprehensive plan and an urban growth area joint management agreement. Model subdivision and zoning ordinances will also be discussed and will be revised as necessary to meet the needs of Lexington.

All interested persons are invited to attend and express their views. Anyone who has questions or comments may contact Marie Hall, ECOAC, P.O. Box 339, Pendleton, Oregon 97801, or call toll free 1-800-452-8112.

Lexington City Council Published June 15, 22, 1978

(SEAL)

COURT OF THE IN THE STATE OF OREGON FOR UMATILLA COUNTY AFFIDAVIT OF PUBLICATION OF JUN 2 8 1978 STATE OF OREGON. E.C.O.A.C. 22 County of Umatilla Beverly Krosting being first duly sworn, depose and say that I am the principal clerk of the publisher of the East Oregonian, a newspaper of general circulation, as defined by ORS 193.010 and 193.020; printed and published at Pendleton in the aforesaid county and state; that the ____EO- 823 Public Notice EO-823
PUBLIC NOTICE
The Lexington City Council will hold a public hearing on Tuesday, June 27, at 8:00 p.m. at the Lexington City Hall to consider adoption of a final comprehensive plan and an urban growth area joint management agreement. Model subdivision and zoning ordinances will also be discussed and will be revised as necessary to meet the needs a printed copy of which is hereto annexed, was published in the entire issue of said newspaper for _ ___ successive and consecutivensertions in also be discussed and will be revised as necessary to meet the needs of Lexington.

All interested persons are invited to attend and express their views. Anyone who has questions or comments may contact Marie Hall, E.C.O.A.C., P.O. Box 339, Pendleton, Oregon 97801, or call toll free 1:800-452-8112.

Lexington City Council June 16, 26, 1978 the following issues: June 16th & 26th 27th Subscribed and sworn to before me this . 1978

> MY COMMISSION ERVITES SEPT. 8, 1980

Notary Public of Oregon

Published in the

Heppner Gazette Times

Heppner, Oregon

LEGAL NOTICE

The Morrow County Court will hold a public hearing on August 16, 1978 at 10:00 a.m. in the Morrow County Court House, Heppner, Oregon.

Purpose of this hearing is to consider adoption of an Ordinance which will adopt the comprehensive plans and joint urban growth area management agreements of the cities of Heppner. Lexington, Ione and Irrigon as an amendment to the Morrow county Comprehensive Plan.

All interested parties are urged to attend and present their views.

Written comments will be accepted by writing to:
Morrow County Planning Department
P.O. Box 541
Heppner, Oregon 97836
Published Aug. 3, 10, 1978.

PUBLIC HEARING

Morrow County Planning Commission will hold a public hearing on July 31, 1973 at 8 p.m. in the Morrow County Courthouse, Heppner, Oregon. The purpose of this hearing will be presentations of the cities of Heppner, Irrigon and Lexington's comprehensive plans for county planning commission review and adoption.

Morrow Planning Commission Published July 20, 1978

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IN THE	COURT OF THE
STATE OF OREGON FO	OR UMATILLA COUNTY
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	AFFIDAVIT OF
	PUBLICATION OF
	}
	Equity No
STATE OF OREGON,	
County of Umatilla	
Towardy Krosting	being first duly
	incipal clerk of the publisher of the East
	culation, as defined by ORS 193.010
	Pendleton in the aforesaid county and
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said newspaper for suc	cessive and consecutive inservious in
he following issues:	21
d	ing. 5th : 15th

Subscribed and sworn to before me this .

Aug 1978

PUBLIC NOTICE

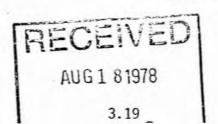
The Morrow County Court will conduct a public hearing on Wednesday, August 16, 1978, at 10:00 a.m. at the Morrow County Courthouse to review the following:

1. The City of Ione's Comprehensive Plan and Joint Management Agreement,
2. The City of Lexington's Comprehensive Plan and Joint Management Agreement,
3. The City of Irrigon's Comprehensive Plan and Joint Management Agreement,
4. The City of Heppner's Comprehensive Plan and Joint Management Agreement.
The Dublic hearing will also include consideration of ordinances to adopt each city's plan for the area outside city limits and inside the urban growth boundary as amendments to the Morrow County Comprehensive Plan.
Adoption by the Court is the final step before requesting acknowledgments of compliance from Land Conservation and Development Commission. All interested persons are invited to attend

MORROW COUNTY COURT August 5, 15, 1978

MY COMMISSION EXPIRES EZ: 1. 3. 1280

day of



Notary Public of Oregon

IN THE	COURT OF THE	
STATE OF OREGON F	OR UMATILLA COUNTY	
) AFFIDAVIT OF	
	AFFIDAVIT OF	
	PUBLICATION OF	
	Equity No	
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STATE OF OREGON,		
County of Umatilla		
I, Connie Ford	being first duly	3
sworn denose and say that I am the o	rincipal clerk of the publisher of the East	
Oregonian, a newspaper of general ci-	rculation, as defined by ORS 193.010	
and 193.020; printed and published at	Pendleton in the aforesaid county and	
state; that theE0-L31P	ublic Notice	1-
=	*	E0-43T
4		PUBLIC NOTICE
a printed copy of which is hereto anne	xed, was published in the entire issue	will, hold, at public hearing on Tuesday, May 22, 1979, at 7:30 PM in the meeting room of the School
7	ccessive and consecutive insertion in	Consider adoption of subdivision,
	in the consecutive in	are invited to attend. Copies of the
the following issues:		ton City Recorder or Marie Half,
May 11	, 19_79	Dregon 97801: phone 1-801-32-6174 Lexington City Council
Con	enie Ford	May 17 197
Subscribed and sworn to before me	this day of	
May		
() t.	11.10 C 2.X	
Jaki	Notary Public of Oregon	
	Tiothly I dolle of Olegon	

5 th 1 2 th 20

AFFIDAVIT OF PUBLICATION

STATE OF OREGON county of Morrow ss:
I, Terry M. Hager
being first duly sworn, depose and say that I am the Managing Editor of the HEPP-NER GAZETTE-TIMES, a newspaper of general circulation, as defined by O.R.S. 193.010
and 193.020; printed and published at Heppner,
Oregon: that the Public Notice
oregon, that the
a printed copy of which is hereto annexed, was
published in the entire issue of said newspaper
for one successive and consecutive
weeks in the following issues:May10,1979
Terry m Hayer
Subscribed and sworn before me this
Notary Public for Oregon
My Commission Expires: May 2.5, 1982

The Lexington City Council will hold a public hearing on Tuesday, May 22, 1979, at 7:30 p.m. in the meeting room of the School District Building in Lexington, to consider adopttion of subdivision, mobile home park, an zoning ordinances. All interested persons are invited to attend. Copies of the model ordinances can be obtained by contacting Lois Allyn, Lexington City Recorder, or Marie Hall, ECOAC, P.O. Box 1207, Pendleton, Oregon 97801, phone 1-800-452-8112.

Lexington City Council

Published May 10, 17, 1979.

(SEAL)

AFFIDAVIT OF PUBLICATION

STATE OF OREGON County of Morrow ss:
I, Terry M. Hager
being first duly sworn, depose and say that am the Managing Editor of the HEPP NER GAZETTE-TIMES, a newspaper of general circulation, as defined by O.R.S. 193.01 and 193.020; printed and published at Heppner
Oregon: that the Public Notice, Lexington
City Council
a printed copy of which is hereto annexed, was published in the entire issue of said newspaper for
Terry m Haye
Subscribed and sworn before me this
Notary Public for Oregon

My Commission Expires: Thay 25, 1982

The Lexington City Council will continue the May 22, 1979 hearing on proposed subdivision, zoning and mobile home park ordinances on Tuesday, June 5, 1979 at 8:00 p.m. at the Lexington City Hall. Anyone who has questions or comments, or who would like to obtain a copy of the proposed ordinance may contact Lois Allyn, City Recorder (989-8419) of Marie Hall, ECOAC, P.O. Box 1207, Pendleton, OR 97801 (1-800-452-8112)

Lexington City Council

Published May-31, 1979

(SEAL)

IN THE	COURT OF THE
	N FOR UMATILLA COUNTY
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	AFFIDAVIT OF
	PUBLICATION OF
	F
	Equity No
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Oregonian, a newspaper of gene	being first duly the principal clerk of the publisher of the East eral circulation, as defined by ORS 193.010 ted at Pendleton in the aforesaid county and lic Notice
a printed copy of which is hereto	annexed, was published in the entire issue successive and consecutive insertion
the following issues:	
	May 25th 1079
(8	leverly Grosting
Subscribed and sworn to befo	ore me this day of
May	79
(70	torice O Carpento
	Notary Public of Oregon

PUBLIC NOTICE
The Lexington City Council will hold a public hearing on Tuesday, June 5. 1979, at 8:00 p.m. at the Lexington City Hall to consider adoption of amendments to the Lexington Comprehensive Plan Revision of Comprehensive Plan designation is proposed for tax lots 5000 and 5001, Section & S Range 25 E. The land is located immediately south of the Morrow County Grain Grower facilities. Both parcels are located outside of the Lexington City Limits, but are within the City's Urban Growth Boundary, Anyone who has questions or comments may contact Lois Allyn. Lexington City Recorder or Marie Hall, ECOAC, PO Box 1207, Pendieton, Oregon 97801 (1-800-452-8112).
Lexington City Council May 25, 1979

Notary Public of Oregon

147 Ct -

AFFIDAVIT OF PUBLICATION

STATE OF OREGON	
County of Morrow	ss:

County of Morrow ss:
I, Terry M. Hager
being first duly sworn, depose and say that I
am the Managing Editor of the HEPP.
NER GAZETTE-TIMES, a newspaper of gen-
eral circulation, as defined by O.R.S. 193.010
and 193.020; printed and published at Heppner,
Oregon: that the Public Notice
all 23 april 4 inquali
a printed copy of which is hereto annexed, was
published in the entire issue of said newspaper
for two successive and consecutive
weeks in the following issues: June 14, 21,
1979
Anna analysis and a same property
Terry In Leufe
Subscribed and sworn before me this
2/st day of June 11/1/1979.
Eiler K Salin
Notary Public for Oregon
My Commission Expires: May 25, 1986

PUBLIC NOTICE

The Morrow County Planning Commission will hold a public hearing on Monday, June 25, 1979 at 7:30 p.m. in the Morrow County Courthouse in Heppner to review amendments to the following:

- The City of Ione's 1. Comprehensive Plan and Joint Management Agreement
- 2. The City of Lexington's Comprehensive Plan and Joint Management, Agreement .
- 3. The City of Heppner's Comprehensive Plan and Joint Management Agree-1 ment the state of the state of

The public hearing will also include consideration of ordinances to adopt each city's plan for the area outside city limits and inside the Urban Growth Boundary as amendments to the Morrow County Comprehensive Plan. All interested persons are invited to attend.

Morrow County Planning Commission Published June 14, 21, 1979

(SEAL)

IN THE	COURT OF THE
STATE OF OREGON F	OR UMATILLA COUNTY
	AFFIDAVIT OF
	PUBLICATION OF
	Equity No
STATE OF OREGON, County of Umatilla	
I. Beverly Krosting	being first duly
sworn, depose and say that I am the p	principal clerk of the publisher of the East
	irculation, as defined by ORS 193.010
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state; that the	7440 110020
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a printed copy of which is bereto annu	exed, was published in the entire issue
	uccessive and consecutive in
the following issues:	
	June 14, 79
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Subscribed and sworn to before m	e this day of
June 079	And the last the second second
() +	1000
Jak	LCLO Y KILLIUM

The Morrow-County Plannis
Commission will hold a publinearing on Monday, June 25, 19
a17:30 p.m. in the Morrow Councourthouse in Hoppner to revie
amendments to the following:

1. The City of lone's Conprehensive Plan and Join Management Agreement.

2. The City of Lexington's Comprehensive Plan and Join Management Agreement.

3. The City of Heppner's Comprehensive Plan and Join Management Agreement.

The public hearing will also include consideration of ordinance to adopt each city's plan for this area outside city limits and inside the Urban Growth Boundary a mendments to the Morrow County Comprehensive Plan. All itersted persons are invited to a lead.

Morrow County Planning Commission June 14, 1979

PA ---

Notary Public of Oregon

IN THE	COURT OF THE	
STATE OF OREGON F	OR UMATILLA COUNTY	
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GOALS AND POLICIES

CHAPTER IV

Plan Goals and Policies

The following statement of Goals and Policies provides a general long range basis for decision making relative to the future growth and development of the City. The goals are patterned after and are in direct response to applicable Oregon Statewide Planning Goals. The policy statements set forth a guide to courses of action which are intended to carry out the goals of the plan. The policy statements present a clear picture of the City's position on matters pertaining to physical improvements and development.

CITIZEN INVOLVEMENT

GOAL: To develop a citizen involvement program that insures opportunity for citizens to participate in all phases of the planning process.

Objectives

To conduct periodic community surveys to ascertain public opinion and collect information; survey results should be distributed.

To encourage people to attend and participate in City Council meetings and hearings.

To make the draft comprehensive plan and technical report available for public review and comment.

To distribute the adopted comprehensive plan to the public for use as a reference in making future land use decisions.

2. LAND USE PLANNING

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

Objectives

To prepare data inventories on natural resources, man made structures and utilities, population and economic characteristics, and the roles and responsibilities of affected governmental units.

To identify lands suitable for development and areas where development should be restricted.

To develop economic and population projections.

To determine the land requirements for projected economic development and population growth.

To prepare a comprehensive plan and establish an urban growth boundary

based on the above information, citizen input, coordination with affected governmental units, and the goals and objectives adopted herein.

To establish policies for the implementation of the comprehensive plan.

To develop zoning and subdivision ordinances and a capital improvement program based on the comprehensive plan.

To establish a policy for revising or amending the comprehensive plan.

3. AGRICULTURAL LANDS

GOAL: To preserve and maintain agricultural lands.

Objectives

To identify agricultural lands which should be preserved and protected from urban development.

To encourage residential, commercial, and industrial development within the urban growth boundary.

To encourage the Morrow County Planning Department and County Court to restrict residential, commercial, and industrial development outside the urban growth boundary.

Land zoned agricultural shall remain so until such time as the property owner requests a zone change. At that time the zone change shall comply with the comprehensive plan.

4. OPEN SPACE, SCENIC AND HISTORICAL AREAS, AND NATURAL RESOURCES

GOAL: To conserve open space and protect natural and scenic resources.

<u>Objectives</u>

To identify open spaces, scenic and historical areas, and natural resources which should be preserved from urban development.

To examine any publicly owned lands including street rights-of-way for their potential open space use before their disposition.

To protect archaeological and historic sites, structures, and artifacts.

To conserve the area's natural resources.

5. AIR, WATER, AND LAND RESOURCES QUALITY

GOAL: To maintain and improve the quality of the air, water, and land resources of Lexington.

Objectives

To limit all discharges from existing and future development to meet applicable state or federal environmental quality statutes, rules, and standards.

To discourage industries which would have a significant detrimental effect on the environmental resources of the area.

6. AREAS SUBJECT TO NATURAL DISASTERS AND HAZARDS

GOAL: To protect life and property from natural disasters and hazards.

Objectives

To administer areas of flood hazard according to the City's Flood Area Management Ordinance to be adopted by the City upon completion of the final plain study.

To require site specific information clearly determining the degree of hazard present from applicants who seek approval to develop residential, commercial, of industrial uses within known areas of natural disasters and hazard.

7. RECREATIONAL NEEDS

GOAL: To satisfy the recreational needs of the citizens of Lexington and visitors.

Objectives

To develop public meeting places and indoor recreational facilities for all age groups.

To develop neighborhood parks and outdoor recreational facilities in order to meet the needs of residents and visitors as the community grows.

8. ECONOMIC DEVELOPMENT

GOAL: To diversify and improve the economy of Lexington.

Objectives

To encourage commercial development to meet the needs of residents and visitors.

To encourage diversified, non-polluting industrial development in order to provide a stable job market.

To maximize the utilization of local manpower as job opportunities increase.

9. HOUSING

GOAL: To increase the supply of housing to allow for population growth and to provide for the housing needs of the citizens of Lexington.

Objectives

To allow for a moderate rate of growth.

To allow for residential development which provides prospective buyers with a variety of residential lot sizes, a diversity of housing types, and a range in prices.

PUBLIC FACILITIES AND SERVICES

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

Objectives

To develop, maintain, update, or expand police and fire services, streets, water and sewer systems, and storm drains as necessary to provide adequate facilities and services to the community.

To cooperate with agencies involved in providing and coordinating social services to the community.

To work with Morrow County to insure adequate provision for and control of solid waste disposal sites.

To plan public facilities, services, and utilities to be maintained by the City of Lexington in cooperation with private companies to meet expected demand.

To provide City water and sewer services when available only after the area to be served has been annexed to the City or at the discretion of the City Council.

11. TRANSPORTATION

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

Objectives

To encourage good transportation linkages (pedestrian, vehicular, bicycle, etc.) between residential areas and major activity centers.

To encourage industry to locate in areas which are or can be served by the railroad.

To prioritize the sequence for the paving of City streets.

To contract with Morrow County or the State of Oregon or private contractors to pave streets within the City when they are doing other work in the area.

12. ENERGY CONSERVATION

GOAL: To conserve energy and develop and use renewable energy resources.

Objectives

To develop a zoning ordinance which protects sun rights.

To develop subdivision regulations which require that the orientation of streets and buildings allow for utilization of solar energy and require landscaping to reduce summer cooling needs.

To design the extension and upgrading of water and sewer lines when available and facilities to minimize energy use.

13. URBANIZATION

GOAL: To provide for an orderly and efficient transition from rural to urban land use.

Objectives

To establish an urban growth boundary to identify and separate urbanizable land from rural land.

To develop a cooperative process between Lexington and Morrow County for the establishment and change of the urban growth boundary.

To establish a policy for revising or amending the urban growth boundary.

NATURAL ENVIRONMENT

CHAPTER V

Natural Environment

A. Climate

The City of Lexington is 1,410 feet above sea level and has a semi-arid climate. Total precipitation averages about 12.9 inches per year and temperatures are moderate. The average annual temperature is 50°, with an average temperature of about 68° in July and 32° in January. Temperature extremes range from highs in the 100°'s in the summer to lows around zero and below in the winter.

The growing season averages 168 days and there are about 78 days annually with 1/100 inch or more precipitation. Most precipitation occurs in October through December with nearly as much occuring in April through June. The area is subject to endemic cloudbursts that may drop several inches of water in a few hours.

B. Geology

Lexington lies within the Columbia River Plateau, a vast geological region covering parts of Washington, Oregon, and Idaho. It is noted for large amounts of Miocene and early Pliocene flood basalts. The Columbia River Plateau was divided by Fenneman in 1931 into two subprovinces - the topographically lower Walla Walla Plateau, which includes the Lexington area, and the elevated Blue Mountain subprovince. The Walla Walla Plateau is characterized by rolling upland surfaces with young incised valleys. More specific dissection of the Walla Walla Plateau to the Lexington area is related to the Willow Creek drainage system, a tributary of the Columbia River.

Underlying the Walla Walla Plateau are hundreds to several thousand feet of basalt flows of the Columbia River Group. These flows are exposed in nearly all stream drainages and in many highway cuts. The basalt flows errupted from fissures apparently lying to the east in Wallowa and Union Counties and blanketed almost the entire Pendleton quadrangle.

Pliocene and younger sedimentary deposits of fluviatile, lacustrine, eolian, and glacial origin veneer intervening upland surfaces. They are generally less than 100 feet thick and in some places are only a few feet thick. Deposits of these clastic sediments are found in structural and physiographic depressions in the area around Lexington. These sediments particularly the wind-deposited loessial soil, support extensive wheat farming, with the many rocky slopes where deposits are thin or discontinuous providing grazing for cattle.

Mineral Deposits. Minor coal prospects are present south of Heppner in the Eocene sedimentary sequence (Mendenhall, 1909, Collier, 1914). Although lenses and thin beds of pure, good-grade bituminous coal are present locally, they are apparently too thin, intermixed with carbonaceous shale, and structurally deformed to be of commercial interest.

Small quantities of gem opal have been recovered from amygdaloidal flows of Eocene age in southern Morrow County. The flows are considered to be part of the Clarno Formation (Oregon Department of Geology and Mineral Industries, 1941, page 154).

There are a few rock and gravel quaries in the Lexington area. They are primarily state and county owned and do not support any major excavations.

No other minerals of significance have been identified in the Lexington area.

General Engineering Features. The Basalt of the Columbia River Group varies in degree of fracturing and alteration and thus also varies in degree of slope stability. However, in general the basalt is hard and strong, affording foundation strength capable of supporting heavy loads and also furnishing an excellent source of crushed rock for concrete aggregate, previous fill, and road surfacing material. The high bearing strength is a characteristic of the basalt except where scoriaceous, and brecciated (broken into sharp fragments embedded in sand or clay) zones between flows or where local sedimentary interbeds are present. Such zones should be avoided in obtaining basalt for use as concrete aggregate according to the "Reconnaissance Geologic Map for the Pendleton Quadrangle Oregon and Washington".

C. Topography

The City of Lexington lies within the Willow Creek Basin, an elongated 890 square mile area located in Northcentral Oregon. The Basin is about 60 miles long and is 23 miles wide at its maximum width. At Lexington, the valley is about 1/2 mile wide and is surrounded by rolling hills with elevations to 1,800 feet above sea level within a mile from the valley floor.

Ground surface within the city limits is relatively level with a gradual slope from the center of town to the city limits. The surrounding hills rise steeply to the north, southwest, and east of town.

D. SCILS

Soils conditions are one of the most important features related to land use planning Soils concerns are basically twofold: (1) Land use capability which includes productivity potential and (2) limitations and suitabilities related to development. Often times these limitations can be overcome, although in many instances, substantial expenditures will be required. U.S. Department of Agriculture, Soil Conservation Service definitions for the various soils capabilities are indicated below:

<u>Capability Classes</u>. Capability classes show the suitability of soils for most kinds of field crops including soil limitations, risk of soil damage, and soil response to various treatments. Roman numerals I through VIII indicate capability classes with progressively greater limitations and narrower choices for practical use. They are defined as follows:

- Class I soils have few limitations that restrict their use.
- Class II soils have moderate limitations that reduce the choice of plants or that require moderate conservation practices.
- Class III soils have severe limitations that reduce the choice of plants, require special conservation practices, or both.
- Class IV soils have very severe limitations that reduce the choice of plants, require very careful management, or both.
- Class V soils are not likely to erode but have other limitations, impracticable to remove, that limit their use largely to pasture, range, woodland, or wildlife.
- Class VI soils have severe limitations that make them generally unsuited to cultivation and limit their use largely to pasture or range, woodland, or wildlife.
- Class VII soils have very severe limitations that make them unsuited to cultivation and that restrict their use largely to pasture or range, woodland, or wildlife.
- Class VIII soils and landforms have limitations that preclude their use for commercial plants and restrict their use to recreation, wildlife, water supply, or to esthetic purposes.

Letter designations are often added to the capability numerals, and indicate the following:

- (e) Shows that the main limitation is risk of erosion unless close-growing plant cover is maintained;
- (s) Shows that the soil is limited mainly because it is shallow, droughty, or stony;
- (w) Shows that water in or on the soil interferes with plant growth or cultivation (in some soils the wetness can be partly corrected by artificial drainage).
- (c) Shows chief limitation is climate that is too cold, too dry, or too cloudy for production of many crops.

The soil mapping unit boundaries (see soils map, page 5.7) are determined by soil scientists digging pits and auger holes into the soil, studying road cuts, measuring slopes and soil depths, estimating percent gravel, cobbles, sand, silt and clay and considering any limiting or enhancing features of the various soils. A combination of stereoscopic study, aerial photograph interpretation and walking over the land is used to determine kinds of land forms and soils present.

Each soil mapping unit has definite limitations for specific uses. The limitations are rated as follows:

Limitation Rating

<u>Slight</u> soil limitation is the rating given soils that have properties favorable for the rated use. This degree of limitation is minor and can be overcome easily. Good performance and low maintenance can be expected.

Moderate soil limitation is the rating given soils that have properties moderately favorable for the rated use. This degree of limitation can be overcome or modified by special planning, design, or maintenance. During some part of the year the performance of the structure or other planned use is somewhat less desirable than for soils rated slight. Some soils rated moderate require treatment such as artificial drainage, runoff control to reduce erosion, extended sewage absorption fields, extra excavation, or some modification of certain features through manipulation of the soil. For these soils, modification is needed for those construction plans generally used for soils of slight limitation. Modification may include special foundations, extra reinforcements, sump pumps, and the like.

Severe soil limitation is the rating given soils that have one or more properties unfavorable for the rated used, such as steep slopes, bedrock near the surface, flooding hazard, high shrink-swell potential, a seasonal high water table, or low bearing strength. This degree of limitation generally requires major soil reclamation, special design or intensive maintenance. Some of these soils, however, can be improved by reducing or removing the soil feature that limits use, but in many situations, it is difficult and costly to alter the soil or to design a structure to compensate for a severe degree of limitation.

Boundaries delineated by the soil mapping units (see soils map, page 5.7) are seldom sharp or clearcut. Since soil type boundaries are transitional or grade into each other, the map delineations shown may include up to 15 percent other soil types.

Careful examination of the soils information presented here will aid in general decision making, but does not preclude the need for specific on-site investigations. Information included here will:

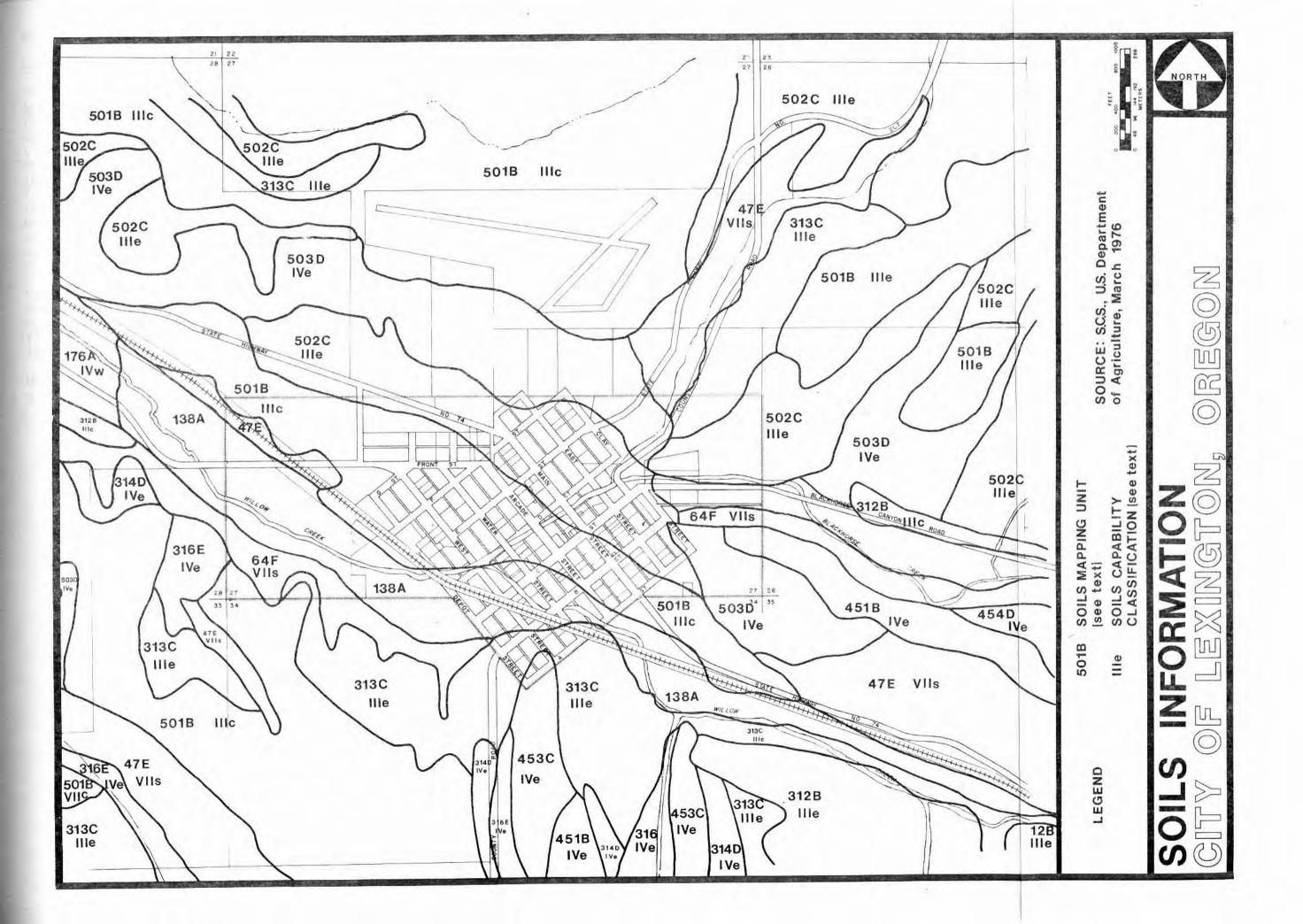
- Provide preliminary estimates of soil limitations for general planning of building sites, highways, drainage systems, and other community developments.
- 2. Indicate potential sources of topsoil, sand or gravel.
- 3. Aid in developing land use regulations.
- 4. Aid in planning locations for developments.
- 5. Indicate areas particularly susceptible to erosion or flooding.

6. Supplement the information obtained from other published maps and reports.

The soil survey summary, page 5.6 shows restrictive features for drainfields, foundations, and roads as well as soil capability for each mapping unit designated on the soils map, page 5.7. More detailed information is available from the U.S. Department of Agriculture, Soil Conservation Service or from the report, "Soil Survey Interpretations for Land Use Planning and Community Development for the Lexington Area, Oregon" by U.S. Department of Agriculture, Soil Conservation Service that is on file at the East Central Oregon Association of Counties office, Pendleton, Oregon.

SOIL SURVEY DATA - LEXINGTON AREA

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	30	Mikkalo silt loam	12-20%	IVe	IVe	Slope, depth to rock		Slope	Severe	Slope	Severe



E. Natural Hazards

Flood Plain

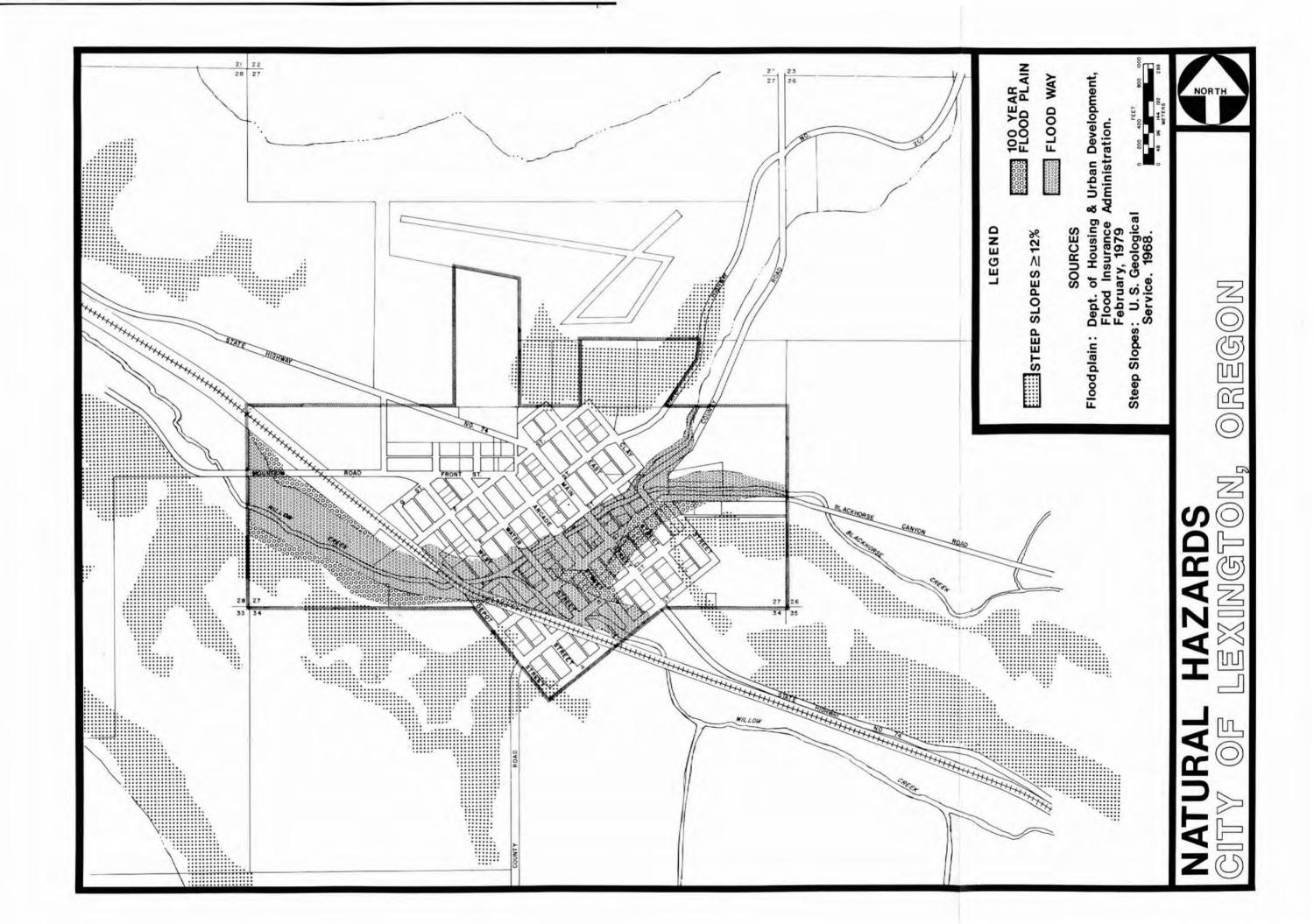
The floodway and flood plain map for the City of Lexington is shown on page 5.10. This map is taken from the Department of Housing and Urban Development, Federal Insurance Administration's flood hazard map of the city. The map may contain some inaccuracies due to enlargement and reproduction processes. For site specific delineation, see the Federal Insurance Administration map of most recent issue that is available from the FIA Seattle office, lenders and insurance salesmen in the area and city officials. The Corps of Engineers is finalizing a more extensive study of the flood area than has been completed to date. The study will take into consideration construction of several miles of diversion ditching, and terracing as well as catch water pond construction done by the Heppner Water Control District on Shobe, Hinton, Balm Fork, and Willow Creeks in the area south and west of Heppner. The report is scheduled for completion in late 1979.

Lexington is now participating in the FIA emergency flood insurance program. Upon completion of the current Corps of Engineers study and provision of necessary floodway data, Lexington may choose to participate in the regular flood insurance program. If the city chooses not to participate, flood insurance will not be available for city residences and businesses.

Under present FIA regulations in effect in Lexington, the minimum land use and control measures adopted by the community for the flood plain must:

- "(b) When the Administrator has designated areas of special flood hazards (A zones) by the publication of a community's FHBM, but has neither produced water surface elevation data nor identified a floodway or coastal high hazard area, the community shall:
- Require permits for all proposed construction and other developments including the placement of mobile homes, within Zone A on the community's FHBM;
- (2) Require the application of the standards in paragraphs (a)(2), (3), (4), (5), and (6) of this section to development withinZone A on the community's FHBM;
 - (a)(2) Review proposed development to assure that all necessary permits have been received from those governmental agencies from which approval is required by Federal or State law, including section 404 of the Federal Water Pollution Control Act Amendments of 1972, 33 U.S.C. 1334;
 - (a)(3) Review all permit applications to determine whether proposed building sites will be reasonably safe from flooding. If a proposed building site is in a flood-prone area, all new construction and substantial improvements (including the placement of prefabricated buildings and mobile homes) shall (i) be designed (or modified) and adequately anchored to prevent flotation, collapse, or lateral movement of the structure, (ii) be constructed with materials and utility equipment resistant to flood damage, and (iii) be constructed by methods and practices that minimize flood damage;

- (a)(4) Review subdivision proposals and other proposed new development to determine whether such proposals will be reasonably safe from flooding. If a subdivision proposal or other proposed new development is in a flood-prone area, any such proposals shall be reviewed to assure that (i) all such proposals are consistent with the need to minimize flood damage within the flood-prone area, (ii) all public utilities and facilities, such as sewer, gas, electrical, and water systems are located and constructed to minimize or eliminate flood damage, and (iii) adequate drainage is provided to reduce exposure to flood hazards;
- (a)(5) Require within flood-prone areas new and replacement water supply systems to be designed to minimize or eliminate infiltration of flood waters into the systems; and
- (a)(6) Require within flood-prone areas (i) new and replacement sanitary sewage systems to be designed to minimize or eliminate infiltration of flood waters into the systems and discharges from the systems into flood waters and (ii) onsite waste disposal systems to be located to avoid impairment to them or contamination from them during flooding.
- (3) Require that all subdivision proposals and other proposed new developments greater than 50 lots or 5 acres, whichever is the lesser, include within such proposal base flood elevation data;
- (4) Obtain, review, and reasonably utilize any base flood elevation data available from a Federal, State, or other source, until such other data has been provided by the Administrator, as criteria for requiring that (i) all new construction and substantial improvements of residential structures have the lowest floor (including basement) elevated to or above the base flood level and (ii) all new construction and substantial improvements of nonresidential structures have the lowest floor (including basement) elevated or floodproofed to or above the base flood level;
- (5) For the purpose of the determination of applicable flood insurance risk premium rates within Zone A on a community's FHBM, (i) obtain the elevation (in relation to mean sea level) of the lowest habitable floor (including basement) of all new or substantially improved structures, and whether or not such structures contain a basement (ii) obtain, if the structure has been floodproofed, the elevation (in relation to mean sea level) to which the structure was floodproofed, and (iii) maintain a record of all such information with the official designated by the community under §1909.22(a)(9)(iii);
- (6) Notify, in riverine situations, adjacent communities and the State Coordinating Office prior to any alteration or relocation of a watercourse, and submit copies of such notifications to the Administrator;
- (7) Assure that the flood carrying capacity within the altered or relocated portion of any watercourse is maintained;



- (8) Require that all mobile homes to be placed within Zone A on a community's FHBM shall be anchored to resist flotation, collapse, or lateral movement by providing over-the-top and frame ties to ground anchors. Specific requirements shall be that (i) over-the-top ties be provided at each of the four corners of the mobile home, with two additional ties per side at intermediate locations and mobile homes less than 50 feet long requiring one additional tie per side; (ii) frame ties be provided at each corner of the home with five additional ties per side at intermediate points and mobile homes less than 50 feet long requiring four additional ties per side; (iii) all components of the anchoring system be capable of carrying a force of 4,800 pounds; and (iv) any additions to the mobile home be similarly anchored;
- (9) Require that an evacuation plan indicating alternate vehiclar access and escape routes be filed with appropriate Disaster Preparedness Authorities for mobile home parks and mobile home subdivisions located within Zone A on the community's FHBM.

(From Chapter X-Federal Insurance Administration, Subchapter B-National Flood Insurance Program, Part 1910.3 [b].)

As more current flood plain maps and elevations are available, lenders, insurance salesmen, and city officials will be notified. City flood area management ordinances and regulations will need to be implemented if the city wishes to participate in the regular flood insurance program.

Earthquake Faults

There are no identified earthquake faults near the City of Lexington according to the U.S. Geologic Survey. There is a concealed fault about 10 miles north of Lexington that runs in a northwesterly direction from Taylor Spring to Well Spring. Another concealed fault lies about 8 miles to the northeast of Lexington. It extends from a point north of the Beacon power transformer to a point about 5 miles east of Cecil.

Steep Slopes

Delineation of slopes greater than 12 percent is shown on the map on page 5.10. Building is not prohibited on slopes greater than 12 percent, but these areas are identified as having a higher degree of hazard than areas of less slope. The City of Lexingon, in its comprehensive plan Goals and Objectives (Goal 6, second Objective) seeks site specific information from applicants seeking approval to develop residential, commercial, or industrical sites in areas of known hazard. This information will allow the city to see that the applicant has taken the degree of hazard into consideration for construction of buildings, roads, and other facilities. If engineering requirements are met to assure safe building conditions, then construction should be allowed.

FISH AND WILDLIFE F.

Fish and wildlife are valuable economic and aesthetic resources of Morrow County. Information from the Oregon Department of Fish and Wildlife indicates that wildlife resources contributed about \$2,484,000 to the County's economy in 1977. Specific values attached to the various species are shown in Tables F-1 and F-2.

Because information on wildlife in the area immediately surrounding Lexington is not available, it is necessary to rely on data for Morrow County. All but the extreme southern portion of Morrow County lies within the Umatilla Basin, designated by the Oregon State Game Commission in their report, "Environmental Investigations", February, 1973.

Lexington's fisheries resource is located primarily in Willow Creek. Rainbow Trout are the only game fish now found in Willow Creek. Rhea Creek, a tributary of Willow Creek, also supports Rainbow Trout. No Steelhead presently spawn in Willow Creek because of extensive water use for irrigation, unladdered dams and unscreened diversions. Potential does exist for Salmon and increased steelhead spawning in the Willow Creek system if habitat and flow improvements could be achieved.

Non-game fish found in Willow Creek include Squawfish and Suckers. Their incidence is enhanced by low summer flows and high water temperatures. Also, the filling of the reservoir behind the John Day Dam has allowed these fish to extend farther into Willow Creek. These species are considered undesirable as they compete with game fish for food and living space.

There is great diversity of wildlife and wildlife habitat in Morrow County. Rocky Mountain Elk and Mule Deer are the most common big game animals. Both are found in higher elevation forests during the summer months and on the lower elevation bench lands, in central and southern Morrow County, during the winter. Black Bear and Cougar are also present.

Wildlife in some instances is limited by lack of water or by shortages resulting from water use practices. Other problems, such as maintaining adequate cover and browse provide a continuing challenge to the Fish and Game Department and Forest Service. With increased logging and recreational activity in the area, additional stress on wildlife resources can be expected. A list of wildlife species found in Morrow County is shown below.

Game Birds

Ring-Necked Pheasant - irrigated fields and pastures

Chukar Partridge - rimrock areas

Hungarian Partridge - grainfield/sagebrush boundaries - water and cover at low elevations Valley Quail - water and cover at low elevations Bobwhite Quail - water and cover at higher elevations Mountain Quail

- high elevation forests Blue Grouse Ruffled Grouse

 high elevation forests
 lowlands throughout summer and early fall
 limited numbers in north Morrow County Morning Dove Merriam Turkey

Waterfowl

Mallard
Pintail
Widgeon
Scaup
Greenwinged Teal

Canada Goose Shoeller Buffle-head Ruddy Duck Snow Goose

Furbearers

Beaver	Wease1	Bobcat	Skunk
Muskrat	Otter	Coyote	Badger
Mink	Raccoon	Opossum	

Rare and Endangered Species

The Bald Eagle and Prairie Falcon are found in low numbers and both probably nest in the basin.

Some indication of the value of wildlife resources to Morrow County is provided by figures from the Department of Fish and Game shown in Tables F-1 and F-2.

Table F-1
1977 Wildlife Inventory

Species		Population	Total Harvest	Recreation Visitor-Days	Value per Rec. Day	Total Rec. Value
Mule Deer Rocky Mtn. Upland Gam		19,000* 2,775* N/A	3,631 846 7,322	23,957 27,315 27,004	\$47.52 \$34.70 \$11.38	\$1,138,437 \$ 947,831 \$ 307,306
Waterfowl	Ducks Geese	170,000** 95,000**	2,400 428	6,221	\$14.54	\$ 90,453

^{*}population prior to hunting season

Source: Preliminary figures from the Oregon Department of Fish and Wildlife, Morrow County Office, Heppner, Oregon, September, 1978.

The three wildlife management areas in Morrow County provide valuable habitat for wildlife and a valuable resource for County residents. Table F-2 summarizes these areas. It is apparent that wildlife resources are an integral part of Morrow County residents' lifestyle and are a viable economic concern.

^{**}peak winter populations

Table F-2
Recreational Visitor Days

	Umatilla National Wildlife Refuge 1977	Irrigon Wildlife Management Area 1976	Coyote Springs Wildlife Man. Are 1976
Waterfowl Hunting	2,157	1,600	
Upland Game Bird Hunting	855	825	
Angling	5,700*	1,200	
Non-Consumptive Wildlife ¹	6,000	655	
Non-Wildlife ²	1,500		
Trapping		• 20	
Total Recreational Visitor Days	16,212	4,300	200 ³

*One visitor day for warm water angling has a value of \$9.70

Source: Oregon Department of Fish and Wildlife, Morrow County Office, Heppner, Oregon, September, 1978.

- 1. Photography, viewing
- 2. Picnicing, boating
- 3. Primarily upland game bird hunting

G. AIR, WATER, AND LAND QUALITY

There is very little information available on the quality of these three resources in Morrow County. The information included here is from the Pendleton office of the Department of Environmental Quality.

Air quality is good at Lexington. Seasonally, there may be some dust in the air from hauling and transferring grain at the elevator in town and on nearby farms. Strong winds, usually from the west and southwest, cause topsoil and dust to blow occasionally.

Water quality at Lexington is good. No wells have been found contaminated. See Chapter VI for detailed discussion of sewer and water facilities.

Lexington has a metal storage solid waste site that serves all of Morrow County. Old car bodies and other large metal objects are stored here and picked up periodically by junk dealers. The site is owned by the City of Lexington and operated by Morrow County.

Other solid waste services are provided by the facilities at Heppner.

H. Unique Scientific and Cultural Resources

Approximately 70 percent of Oregon has been surveyed by historians to identify sites and buildings of importance in Oregon's history. Only about 3 percent of the state has been surveyed for archaeological sites of significance. The results of these surveys indicate that there are about 2,500 historic sites worthy of inclusion in the Statewide Inventory and possibly as many as 120,000 archaeological sites. A map showing density of archaeological sites in Oregon is included (see page 5.16). It shows a high density of archaeological sites in northern Morrow County along the Columbia River.

The Oregon Trail, an important migration route, crosses Morrow County. It was used from 1843-1857. The Emigrant Graveyard/Stage Station Ruin is located on the Oregon Trail and is known for military and Indian affairs. It is located on the southern boundary of the Boardman Bombing Range. The Willow Creek Campground, also on the Oregon Trail, is located north of Cecil. Five miles east of Upper Well Spring, the Cayuse War Battlefield of 1848 has been identified.

The <u>Abiqua Trail</u>, another trail crossing Morrow County, is recognized for prehistory-anthropology significance.

Lexington has two buildings that are included in the "Oregon Inventory of Historic Sites and Buildings". The Barnett Hotel (Del's Grocery Store) on

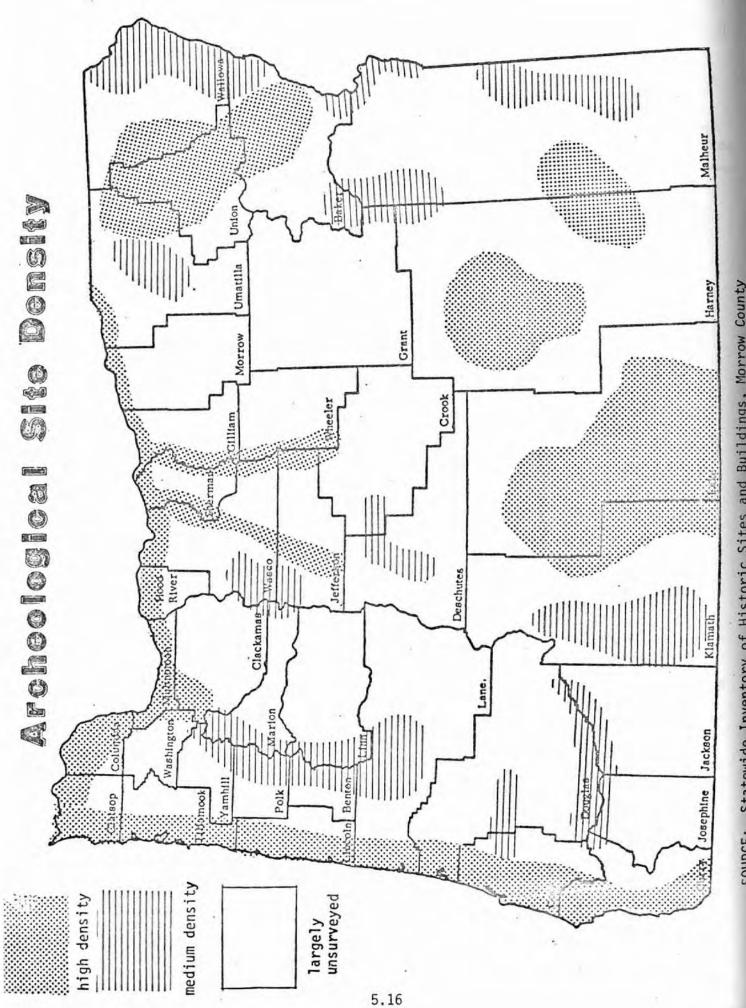
Main Street was constructed prior to 1902. It was an important stage coach stop at the turn of the twentieth century.

The second building, the <u>I.O.O.F. Hall</u>, is located on C Street. It is uncertain when the Hall was constructed. According to Morrow County history, Lexington did not have an I.O.O.F. Lodge in 1902. However, if this building dates from that time, it is possible it was one of two halls W. S. Shiach wrote of. "There were also two halls, the Armory, in which school was maintained and a large hall over McFarland's store."

Morrow County has an outstanding museum located at Heppner. The museum is funded by Morrow County. Exhibits include paleontological finds from the area, (others are on display at the Oregon Museum of Natural History at the University of Oregon), Indian artifacts, early American displays, and displays of early Oregon history. Six of the museum rooms are decorated in period furnishings. A costume collection is also included. During winter months the museum is open from 12:30 p.m. to 5:00 p.m. on Monday, Wednesday, and Sunday and on Saturday from 10:00 a.m. to 5:00 p.m. The hours are extended during the summer.

Public libraries are located at Heppner and Ione. The library at Heppner is experiencing serious financial hardship. The library receives limited support from the city of Heppner and is now operating primarily upon private donations and with volunteer workers. The library is the largest in the county with about 15,000 books. It works closely with the state library.

The Ione library, though smaller, receives much use. The Topic Club at Ione works to maintain the library.



Statewide Inventory of Historic Sites and Buildings, Morrow County Department of Transportation, 1976. SOURCE:

I. Energy Resources

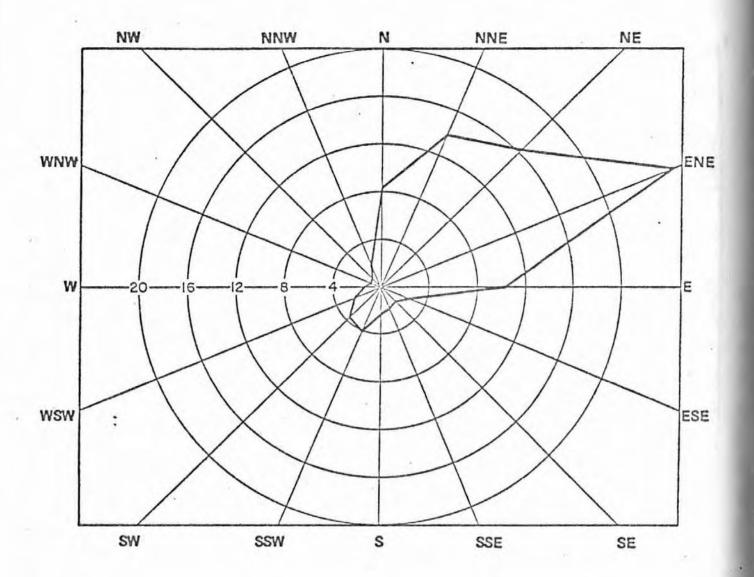
The Umatilla Plateau contains very little in the way of carbonaceous fuels. There are some noncommercial coal deposits located south of Heppner in the Clarno Formation. Although lenses and thin beds of pure good-grade bituminous coal are present, they are apparently too thin, intermixed with carbonaceous shale, and structurally deformed to be of commercial interest at the present time.

There have been small amounts of methane gas found in a few of the water wells in the Columbia River basalt.

Morrow County residents may be able to utilize solar and wind resources to provide power in the future. National Weather Records for the period from '1941 - 1970 indicate that the Pendleton area averages 107 clear days per year and 88 partly cloudy days per year. Mean wind speed at the Pendleton airport for the same period was 9.2 m.p.h. Occasional gusts to 60 and 70 m.p.h. are also recorded. An illustration of wind frequency and direction at the PGE Carty Site in Morrow County is included on the following page. More specific solar and wind information is not available for the cities in southern Morrow County.

There are no identified geothermal sites in Morrow County.

Willow Creek may someday provide water for power generation, though it is not anticipated at this time. The stream is a tributary of the Columbia River and consequently contributes to the Columbia power generation pool. Increased power production may occur on the Columbia River.



ANNUAL FREQUENCY DISTRIBUTION OF WIND DIRECTION AT THE 30-FOOT LEVEL OF THE PGE BOARDMAN METEOROLOGICAL TOWER. THE DIRECTIONS ARE THE DIRECTIONS TOWARD WICH THE WIND IS BLOWING, AND THE PERCENTAGE FREQUENCY SCALE IS AT THE LEFT CENTER OF THE FIGURE.

SOURCE: H.E. CRAMER CO., ALUMAX EMISSION AMBIENT AIR QUALITY IMPACT

SOCIO-ECONOMIC ENVIRONMENT

CHAPTER VI

Socio-Economic Environment

A. Resource Base and Economic Development Background

Before white settlement, the native Cayuse and Umatilla Indians of Morrow County practiced a subsistence economy based on fishing, hunting, and root-and berry-gathering. Deer, elk, and bear hides, Blue Mountain pine and fir bark and Columbia Basin sage provided construction materials. Around 1700, the arrival of wild horses, descended from runaway Southwestern domestic stock, greatly increased Indian mobility, extending their hunting range into the buffalo country beyond the Rockies.

The first phase of white settlement by-passed Morrow County, as had the early nineteenth century trappers and traders. It was not until shortly before the discovery of gold in the John Day country in 1862 that white stockmen were attracted to the grass of southern Morrow County. Permanent settlements were established in the canyons of Willow and Butter Creek before 1870. After their last uprising in 1878, the local Indians were confined to reservations outside what would (in 1885) become the boundaries of Morrow County. Their chief economic legacy was the Cayuse pony, which they had bred for hardiness, endurance, and intelligence.

(Following pages rely on <u>Homesteads and Heritages</u>: <u>A History of Morrow</u> County, Oregon, by Giles French, Binfords, and Mort, Portland, 1971.)

There was no commercial farming in the Lexington area in 1870, and still not much in 1880, since it was a long haul down Willow Creek to the Columbia, where produce could be transshipped to Portland. Even when the railroad running east out of Portland was completed in 1883, it did not come close enough to Lexington to alleviate this problem.

Lexington began as a sheep camp in the 1860's primarily as a result of Bill Penland's sheep and wool enterprizes located at the mouth of Black Horse Canyon. In 1885, when Morrow County was carved out of western Umatilla County, there was a blacksmith shop, eating house and warehouse for Penland Wool located at Lexington. At that time Bill Penland, a man of iron will, determined to get the county seat located at Lexington. The struggle between Heppner and Lexington was fierce, but when the votes were counted, Heppner won, 691 - 658.

The economic basis of the Lexington area continued to be livestock production throughout the 1880's with sheep predominating. An important stimulus to sheep production was the development of that industry in Montana. For fifteen years, Oregon sheep were trailed across the mountains to that territory.

Cattle and horses had been the chief products of the Willow Creek and Butter Creek stockmen in the late 60's and 70's, to serve the needs of the John Day country mining settlements. After 1880, and well into the twentieth century, sheep were the chief product of Morrow County rangelands. After all other Columbia Plateau counties had switched from a livestock -

to a grain-based economy, Morrow County continued to rely on the export of wool for the majority of its agricultural cash income. The establishment on National Forest lands of grazing restrictions, the spread of sagebrush onto the grasslands due to overgrazing and the end of intinerant graziers under the Taylor Act all led to a decline in wool production before 1930's Depression era prices finally finished off all but the largest operators.

The first wheat was grown for export in Morrow County by John Royse on a homestead west of Hardman in 1880. A big impetus was given to commercial grain production by the construction of a railroad spur up Willow Creek from the mainline near the Columbia in 1888. By that time much of the lower elevation native bunchgrass was gone, and more homesteads were being taken up for wheat farming. Since about 1885, Swedes had been arriving in southwest and west central Morrow County, most of whom took up farming. Irish immigration increased during the last twenty years of the nineteenth century as well, but the Irish gravitated more toward sheep raising.

In 1886, a fire destroyed three blocks of businesses including the Reaney Livery stable in Lexington. More bad luck followed in 1888 when a cyclone struck the town, wrecking homesteaders' cabins, school houses and barns.

The Depression of 1893 ended the first exuberant development of cash crop farming in Morrow County. Before the turn of the century, a system of dryland summer fallow farming had evolved on the Columbia Plateau between 1,000 and 2,500 feet in elevation that would remain virtually unchanged for a lifetime. Yields would increase due to new cultivation techniques, seed varieties and fertilizers, and acreages per farm would increase due to increasing mechanization, but the crops to grow in each region were well known and unvarying after 1900. There were 4,205 Morrow County residents in 1890 and 4,465 in 1970.

Though Lexington began as a sheep camp, it became important as a wheat center as roads were built into the Black Horse and Social Ridge areas and farmers began to haul wheat to Lexington for storage and rail shipment. Lexington was incorporated in 1903 and grew slowly through the following years to achieve a population of 264 in 1920.

Combined harvester-threshers appeared in Morrow County fields around 1901. Horses provided the original motive power for these machines, to be replaced by the gas engine after the first World War. During the second decade of the twentieth century, Morrow County began constructing graded and graveled roads to accommodate the spread of automobiles and motor trucks. With the advent of good roads, Morrow County would never again sustain the same variety of businesses as it had in the self-sufficient years, 1870 - 1920, when the county grew much more of what it needed, and had thriving poultry and dairy industries and flour mills.

World War I provided good markets for Morrow County agricultural products, but the twenties failed to live up to expectations. Production exceeded sales for most agricultural commodities. Farms were consolidated as smaller operations were sold to larger ones. Land prices increased. The 1924-25 crop was frozen out, but production recovered by 1927. In general, compared with the big wartime expansion, the twenties were drab, but people had gotten into the habit of living on credit.

This tendency complicated the shortage of money during the Great Depression beginning in 1929. Another problem was the universally bad wheat crops of the thirties. The worst year was 1934, when the crop was both low in quantity and poor in quality, selling for 18 1/2¢ per bushel, compared with the \$2 a bushel price of twenty years before. Banks closed during the Depression decade, and Morrow County gained some notoriety as the place where the local Lions Club issued homemade scrip to spend in the county's stores. The idea caught on in other Oregon communities.

New Deal agricultural policies and the creation of state soil and water conservation districts helped to alleviate the worsening condition of Morrow County's land resource as the low rainfall and high winds of the midthirties persisted. In 1940, Morrow County Grain Growers began taking over storage and warehousing functions in the county and Lexington became the cooperative's headquarters. Lexington has always been recognized as the wheat growing center of the county. The Columbia Basin Electric Power Company, an REA affiliate, began merchandizing Bonneville Power Administration electricity to rural and city customers.

Despite wartime rationing and price controls, Morrow County farmers made money again in the forties, land prices soared, and elderly or inefficient operators sold out, reducing the number able to enjoy the increased income. Continued government controls on production and subsidies during the fifties and sixties assured stable prices above production costs, so the Morrow County economy neither declined nor expanded during these years. Few major developments occurred in production technology, except the continual introduction of new seed varieties promising higher yields. Rainfall was adequate and the county prospered, though most of its young people were forced to look for work elsewhere if they did not become farmers.

The forties saw the last decline of sheep production, which had been 322,000 in 1900, but fell to 110,000 in 1940 and 50,000 in 1950. The slide continued until there were officially only 10,000 sheep grazing Morrow County hillsides and meadows in 1970, though this discounts the Krebs Brothers bands that travel to Montana in the spring.

Following the war, Morrow County decided to accommodate growing interest in flying by building an airport on the level hilltop north of Lexington. The landing strip still provides good private air access to central and southern Morrow County.

Lexington and Heppner high schools consolidated in 1959, ending 80 years of rivalry. The headquarters of the Morrow County School District were moved into the old school building in Lexington and a new high school was built in Heppner in 1961.

The sixties were stagnant in Morrow County, even though income increased. Population fell 400 in the county and 200 in Heppner. Important developments such as the John Day Dam and I-80 constructions occurred without substantially altering the prosperity or patterns of economic activity of the county.

By 1969, however, significant additions to the agricultural patterns of seventy or eighty years had begun. On the D. O. Nelson property north of Lexington, five center-pivot irrigation circles of 130 acres each were producing potatoes that year. Irrigation was not new in Morrow County. In

the Irrigon area, return flows through canals within the Cold Springs Reservoir system had been used by West Extension District farmers to grow a variety of field crops since 1916. In 1944, Orville Cutsforth drilled the first farm well for irrigation to increase hay production of his land northeast of Lexington. The big breakthrough, however, came with the development of center-pivot systems, which were especially well adapted to the level, low elevation, sandy soils of the Columbia Basin in the north end of Morrow County. With this technology, the previously unproductive sagelands could produce specialty or high-value per acre crops such as potatoes and sugar beets. This had potential spin-off value for processing. By 1975, the Port of Morrow at Boardman was profiting from the location there of potato plants and farm supply companies to take advantage of expanded irrigation.

By 1975, some problems to further expansion of irrigated agriculture had also presented themselves. One was the critical groundwater problem. Drawdown from the proliferation of wells in the Columbia Basin area had threatened irrigators with shutoffs of their water supply. The water being pumped was 20 - 40,000 years old and the aquifer was not recharging. The irrigators looked to the Columbia for replacement water.

Another obstacle was the presence in the middle of the North End irrigation zone of the U.S. Navy Bombing Range, land bought in 1940 by the government from Hynd Brothers at \$1.42 per acre. The western part of the tract had been purchased by the state with veteran's funds and leased to Boeing Company in hopes of Oregon's cashing in on aero-space industry expansion in the early sixties. Boeing recognized the true potential of the land and started growing potatoes on it. The eastern portion was retained by the Navy. As of 1978, the land was still being used for target practice by planes from Whidby Island in Puget Sound, despite strenuous efforts by the localleaders to get the Range moved to Washington State. The fate of these 48,000 acres will be settle in Washington, D.C. and not in Morrow County.

Boeing is not the only large company active in northern Morrow County. The amount of capital required to finance center-pivot irrigation on a big scale makes it difficult for some smaller family farmers to practice this form of agriculture. Among North End corporate farms are Sim-Tag, a consortium between long-time potatoe irrigators from Idaho and Washington; Eastern Oregon Farms, Sabre Farms, and Oregon Potatoe, Inc., owned by C. Brewer and Company of Hawaii. The increased irrigation and truck cropping has made it possible for such food processing firms to locate in the county as Morrow Produce and Gourmet Foods.

Two other major areas of expansion in northern Morrow County have been in transportation and energy. With the construction of the John Day Dam below Arlington on the Columbia in the sixties, Boardman was forced to relocate on higher land to avoid inundation by slackwater. Interstate 80 passes through the city limits of the new Boardman, providing the opportunity for tourist commercial development, which the city has grasped. In the last ten years, a number of motels, restaurants and gas stations have added to the processing expansion of the Port of Morrow to keep Boardman busy.

In the seventies, a consortium of power companies led by PGE developed a plan to construct a complex of coal and nuclear power plants in the Boardman area. In 1975, work began on the first of these, a thermal plant using Mountana coal to be shipped by rail to the site called Carty (after an 1890

Irish sheepman), nine miles south of Boardman and a few miles east of the Bombing Range. The reservoir for the plant will provide additional irrigation water by damming the runoff from the usually dry reaches of upper Sixmile Canyon. Whether any of the additional projected Morrow County plants will be constructed, or the nuclear plants planned nearby in Gilliam County or the aluminum reduction facility at the Port of Umatilla, remains to be seen. Delays occasioned by environmental impact statement requirements, court cases and financial considerations make the future of energy development in Morrow County uncertain.

Possible construction of a Willow Creek Dam as been talked of for several years. In 1965, a multi-purpose Dam was discussed and approved by Congress but was never funded. Then in 1974, a dam designed primarily for flood control was approved and funded by Congress but vetoed by President Ford. Recently, support of the dam construction has increased in the hope that it would significantly decrease the National Flood Insurance Administration's flood plain delineation for Heppner. The Heppner City Council, Chamber of Commerce and Morrow County Court have all gone one record as supporting construction of the dam if it is constructed so as significantly to decrease the flood plain area in Heppner.

It is unclear what effect construction of the dam would have on the total projected flood flow and resulting floodway and flood plain at Lexington. If the dam were constructed, the 100 year flood flow of Willow Creek would be lessened and thus flood elevations and possibly flood areas would decrease. However, flood elevations have not been calculated and Congressional approval and funding of the Willow Creek Dam are uncertain at this time.

Equally uncertain is what the effect of these developments would be on Lexington. The city has known stability for a lifetime, with the expansion and modernization of agriculture and to some degree, the Kinzua mill at Heppner, the only major changes in the local economy during the last 60 or 70 years. A too rapid expansion of the North End economy may strain the traditional structure of county services beyond the resident citizen's ability to pay. Lexington residents should make sure the lag between development of any new facilities and the payment of revenues they produce is not too long.

Prepared by John Tillman, Economic Intern, East Central Oregon Association of Counties, March, 1978.

B. Community Survey Description

During the summer and fall of 1976, a community attitude survey was conducted in Lexington. It was designed to gather public input on the adequacy of present city services, recognized need for improvements, and demographic information about the residents of the city. A copy of the survey is included with a summary of the results in the appendix of the report.

The survey was compiled by Don Burns, former comprehensive planner for Ione, Irrigon, Lexington, and Heppner. Planning Commission members were responsible for distributing the surveys in Heppner and copies were also available at City Hall.

Due to the low response percentage (20%) and possible skewing of results based on the potentially dissimilar response rates of different age and occupational groups, the survey may not accurately reflect reality. Conclusions based on the survey should, therefore, be evaluated in conjunction with more general data available for Morrow County to develop an accurate community profile. If the survey is skewed, it is probably toward medium to higher income groups, toward people of long residence in the cities, and toward retired persons, all of whom may be more inclined to fill out the survey forms due to greater leisure or familiarity with paperwork.

C. Population

Lexington has experienced very slow growth since 1930 with the city losing population in the decade from 1960-1970. (See table Page 6.7.) This loss of 10 persons (or 4%) was probably due to emigration of young adults seeking jobs. The only decade in which Lexington has experienced rapid growth was from 1930 to 1940, when the town gained 43 people. From 1970 to 1977, the city had the lowest growth rate of any of the Morrow County cities with a gain of only 15 people or one percent growth per year.

The age structure of Lexington's population obtained from the community survey is found in table $\underline{\text{C-2}}$, page $\underline{6.8}$. Information from the city survey indicates that there are proportionately fewer children age zero to nine in Lexington than in the other Morrow County cities.

Thirty-six percent of the survey respondents have lived in Lexington for 20 years or longer, while 32% had lived there for 5 years or less.

TABLE C-1

POPULATION TRENDS

	1930	1940	19	잉	1960	1970	*7761
Heppner	1190	1140	16	89	1661	1429	1700
Ione	283	262	2(52	350	355	417
Irrigon	1	1	i	!	232	261	415
Lexington	180	223	2:	37	240	230	245
Boardman	100	110	. 12	0.	153	192	1020
Morrow County	4941	4337	4783	33	4871	. 4465	5550

Sources: U.S. Census Data *Portland State University certified population estimates, 1977

TABLE C-2

POPULATION-AGE DISTRIBUTION

į	1970 Census	ensus	-				Hor	sing Su	Housing Survey Data - 1976	a - 1976			
Age	Morrow Rural,	Morrow County Rural, Non-Farm		Heppner	ler .	Ione	٥	Irriaon	gon	Lexir	Lexington	Total,	Total, 4 Cities
	%1	#1		89	#	201	#	%	岩	%	#	87	#
6 -0	17	453		20	35	15	31	14	6	9	4	15	79
10-19	21	089		13	24	17	36	7	D.	24	15	16	80
20-24	4	130		2	6	7	15	2	_	10	9	9	31
25-34	11	356		22	39	15	31	9	4	9	4	15	78
35-49	16	518		15	26	19	40	20	13	24	15	18	94
50-64	16	518		16	29	11	24	23	15	19	12	16	80
+ 59	15	186		6	16	16	32	28	18	=	7	14	73
.TOTALS	100	3238		100	178	100	209	100	92	100	63	100	515

Sources: 1970 U.S. Census Data and Community Attitude Surveys conducted in each community in 1976.

Note: Rural non-farm includes Heppner, Irrigon, Ione, Lexington, Boardman, and unincorporated places.

Information on the educational attainment and ethnicity of the population in Morrow County is not available by city. County information from the 1970 census and in some areas from more current sources is available.

According to the 1977 edition of the Socio-Economic Indicators of Oregon, Morrow County had the highest percentage of 9th grade enrollment graduating from high school in the class of 1976 (92%) in the state. The five year average of 9th grade enrollment graduating from high school (87.1%) also ranked first among the counties in Oregon. However, about 1.6% of the Morrow County adult population has attained a fourth grade education or less. This percentage is among the 10 highest in the state. Twelve percent (12%) of the county's adult population has acheived an eighth grade education or less, while 22.3% has not finished high school. These percentages are among the twelve lowest in Oregon.

Information from the 1970 census on educational attainment by sex is included below.

TABLE C-3
Years of School Completed by Population 25 Years & Over, Morrow County

Education	Number Males	Number Females
Total, 25 years and over	1,283	1,299
No. school years completed	4	3
Elementary: 1-4 years	40	24
4-7 years	71	51
8 years	184	161
High School: 1-3 years	271	232
4 years	424	551
College: 1-3 years	185	178
4 years or more	104	99
Median years completed	12.2	12.3
% high school graduates	55.6	63.7

SOURCE: U.S. Bureau of the Census, Census of Population, 1970 General Social & Economic Characteristics, Final Report PCW - C39 Oregon, U.S. Government Printing Office, Washington, D.C., 1971.

About 2.0% of Morrow County's population is composed of minorities. The two largest groups are those of Spanish heritage and those of American Indian descent. A breakdown is shown on the following page.

TABLE C-4
Number of Persons by Racial Group, Morrow County, 1972

Racial Group	Number	Percent
Total	4,800	100.00
Caucasian	4,695	98.00
Spanish Language	69	1.43
Black	1	.02
American Indian	29	.60
Other	6	.13

SOURCE: OSU Cooperative Extension Service, <u>Income & Poverty Data</u> for Racial Groups, A Compilation for Oregon Census County Divisions, Special Report 367, September, 1972.

1972 Estimated Population, E.C.O.A.C.

Population Projections

Two sets of population projections that provide a reasonable population range at five year intervals are shown on Table C-5. The E.C.O.A.C. projections are from the Draft Population and Labor Force Projections for Morrow and Umatilla Counties prepared in October, 1977. These projections are based on Scenario C assumptions that agriculture, food processing and light industry will continue to grow at or near 1970-75 levels; that there is continued construction of all energy-generating facilities now projected in the area; that industrial expansion occurs at the Ports of Morrow and Umatilla, Hinkle and Pendleton, and that other sectors (including forestry and wood products) continue the economic trends of 1970-75. (See appendix for more detailed description.) E.C.O.A.C. projections presently provide the highest available population forecast for Morrow County, primarily because they are based on economic activity and growth occuring in the county and not on historic trends suitable for forecasting in more stable areas.

The trended projections for Lexington are derived from projecting future growth at the 1970-77 Lexington growth rate. They provide an indication of population if the talked of economic activity does not occur to the fullest extent possible.

Another population estimate can be obtained if it is assumed that Lexington would retain its present share of Morrow County population (4.4%) in the year 2000. With projected county population of 13,300, Lexington's population would be about 590, an increase of 245. About 25 acres would be needed for additional residential use if the relatively low density of 10 persons per acre is used. (2.5 persons per household; 4 houses per acre) It is very unlikely that Lexington will retain its present share of county population, however, since the economic expansion is occuring in the northern end of the county.

TABLE C-5
POPULATION PROJECTIONS

	1980	00	1985	S	1990	0	1995	2	2000	0
	Trended	ECOAC								
Heppner	1840	1800	1850	1850	2300	1890	2530	1920	2760	1950
Ione	450	200	200	009	250	680	009	750	059	780
o Irrigon	520	1140	069	1440	870	1600	1040	1750	1220	1970
Lexingtor,	250	290	260	330	280	370	290	390	300	400
Morrow Co.	6120	9910	7070	10650	8030	11670	8980	12480	9930	13300

Trended projections are calculated at 1970-77 rate of increase and are not compounded.

ECOAC preliminary projections, October, 1977, include specific sets of assumptions for 3 different scenarios. See appendix for detailed description. All projections are rounded to the nearest ten. NOTE:

A summary of population projections and corresponding land requirements is shown.

		2000 Pop.	Density Persons Per Ac.	Add. Res. Land (Ac)	Add* Comm. Land (Ac)	TOTAL Land (Acres)
1.	ECOAC, Scenario C	400	10	16	5	21
2.	Increase at 70-77 rate	300	10	-6	2	8
3.	4.4% County pop.**	590	10	25	8	33
4.	4.4% County pop.**	590	15	16	8	24

*Commercial Land based on same ratio as present commercially used land to present population (8 acres/245 population = 0.327 ac. commercial per capita)

**From E.C.O.A.C. Scenario C projection of Morrow County population of 13,300 in 2000.

It seems reasonable that projections 3 and 4 won't occur unless unforseen development occurs in the Lexington area and the city obtains a sewage system. Projecton 4 assumes a density of 15 persons/acre which could be achieved through the use of single family residences (2.5 person/household) on lots of 7260 square feet or through some combination of multi-family and single family housing.

The city has adequate land to meet future residential and commercial needs in the city limits and urban growth area.

City of Lexington

Projected Land Requirements

Max. projected popⁿ in 2000 = 400 PSU certified popⁿ estimate in 1977 = 245 Max. projected popⁿ increase = 155

Assumptions:

Occupancy rate of 2.5 persons/dwelling Dwelling density of 4 dwellings/acre Therefore, land requirement of 1 acre/10 persons

Additional residential land required to 2000 = 16 acres

Acreage Calculations

	City Limits	UGB
Total Land (including streets)	273	60 Ac. (res.)
Buildable Land *	50 (res. and/ or ag.)	37 Ac. (res.)

^{*}Buildable land as used here refers to land not included in the flood plain or steep slope areas and is unimproved and/or unplatted.

D. Income

Table D-1 shows the distribution of household incomes in Lexington, based on the community survey of September, 1976, in which only about 14% of the households answered the questions on family income.

TABLE D-1
Household Income in Lexington, 1976

Income Level, \$	Number of Households	Percent of Households
0 - 3,999 4,000 - 5,999	1 3	7 21
6,000 - 9,999 10,000 - 14,999	0 5	0 36
15,000 - 19,999 20,000 +	1	29 7
TOTALS	14	100

SOURCE: Community Needs Survey, October, 1976

Table D-2 displays comparable data for Morrow County and the State of Oregon in 1974, the latest comparable figures.

TABLE D-2
Household Income, Morrow County and Oregon, 1974

	Morrow	County	0re	gon
Income Level, \$	# Households	% Households	# Households	% Household
0 - 2,999	235	13.8	103,282	12.6
3,000 - 4,999	187	11.0	77,052	9.4
5,000 - 7,999	265	15.6	109,020	13.3
8,000 - 7,999	236	13.9	82,790	10.1
10,000 - 14,999	360	21.2	212,302	25.9
15,000 +	417	24.5	235,254	28.7
TOTALS	1,700	100.0	819,700	100.0

SOURCE: Oregon Department of Economic Development

The difference in income distribution categories between the two sources makes direct comparison difficult, and the problems of incomplete sampling and possible skewing of the survey data discussed above further complicate the picture. If we assume reasonable reliability for the survey data, however, it is possible directly to compare the income categories of \$10,000 - \$14,999 and over \$15,000 in Lexington with those for Morrow County and the State. Table D-3 makes this comparison.

TABLE D-3
Comparison of Income Distribution

Income Category	Percent of Ho	ousehold in Each	Category
	Lexington*	Morrow County	<u>Oregon</u>
\$10,000 - \$14,999 \$15,000 +	36 (29)** 36 (29)**	21.2 24.5	25.9 28.7

SOURCES: *Community Survey, 1976

Oregon Department of Economic Development, 1974

**Adjusted for inflation

There are three possible explanations for the observed larger share of Lexington households in these high income categories than for Morrow County at large or Oregon. One is the possible skewing for survey data toward higher income groups and the statistical sampling error margin that accompanies so small a response. Second, the rate of inflation during the two year interval between the two study dates would account for much of the observed difference. The third possible explanation is that relatively more people in Lexington earn incomes higher than \$15,000 than in the state at large. This is the least likely interpreation.

It is possible, however, that Lexington has a higher proportion of population in the \$10,000 - \$14,999 income group than Morrow County due to the number of mill workers living in the city.

A check on the reliability of the survey - based figures is offered by another housing survey conducted door-to-door in Lexington by Columbia Basin College students in 1975. The results of that study are displayed in Table D-4 below, and are for heads of households only, not overall household income.

TABLE D-4
Head of Household Income Distribution, 1975 Survey

Income Level \$	Numbers of Households	Percent
0 - 3,999	No Response	0
4,000 - 5,999	13	15
6,000 - 9,999	No Response	0
10,000 - 14,999	57	66
15,000 + Number of No	No Response	0
Responses	16	18.6
TOTAL	86	

SOURCE: CBS Student Survey, 1975

The total of 86 responses in a nearly complete (100%) sampling of households, but the 16% of households contacted but not responding introduces a potential element of skewing into the data, although not so great as in the 1976 survey.

The 66% share of household heads earning \$10,000 - \$14,999 is so out of line with other city, county and state data as to be almost assuredly false, whether from recorders' or respondents' inaccuracies is unknwon.

We will have to wait until either a new survey is conducted or results of the 1980 census are published to draw any firm conclusion about the general level of income in Lexington relative to other jurisdictions in Oregon. We do know that Morrow County ranked 22 of 36 Oregon Counties in median income as computed by the State Housing Division in 1978, and ninth of 18 in Eastern Oregon. (See Table D-5) What this ranking means in terms of buying power and living standard is not clear. The general cost of living in morrow County is probably similar to elsewhere in Oregon, with rents and taxes being lower and consumer goods being higher than west of the Cascade Range. To what extent this situation may be mitigated by proximity to recreation, sporting and food production sites is not readily determined.

Data are presently unavailable on income adequacy. The number of older people living on fixed incomes in Heppner would have to be determined by a new survey. In 1977, the number of persons below proverty level in the Ione-Lexington County Division (Cities of Ione and Lexington and central rural Morrow County) was 185, most of whom would be expected to live in the cities. This number constitutes one third of all Morrow County residents (513) under the Federally-established poverty level guidelines.

While Morrow County ranks ninth among the eighteen Eastern Oregon Counties in median family income in 1978, and twenty-second out of 36 in the state, it is first among its four neighboring counties. (See Table D-5)

TABLE D-5

Eastern Oregon Counties
by 1978 Median Family Income

Rank In Eastern Oregon	County	Median Family Income	Rank In Oregon (36 Counties)
1	Klamath	16,122	9
1 2 3 4 5	Harney	15,910	12
3	Wasco	15,860	13
4	Union	15,821	14
5	Deschutes	15,779	15
6	Lake	15,395	17
7	Sherman	15,066	20
8	Crook	15,012	21
9	MORROW	14,910	22
10	Umatilla	14,903	23
11	Hood River	14,662	25
12	Jefferson	14,263	27
13	Grant	14,192	28
14	Malheur	13,411	30
15	Gilliam	13,317	32
16	Wallowa	13,203	33
17	Baker	12,893	35
18	Wheeler	12,735	36
	STATE	16,768	

SOURCE: State of Oregon Housing Division

When this overall median income is broken down into decile categories (groups of ten percentiles), an interesting pattern emerges. Morrow County has the highest median family and renter income of all the five Oregon Administrative District 12 counties in every decile except the lowest. In this percent of households, Morrow County ranks Iowest of the five counties. Thus, it has both the greatest incidence of high income households, and the lowest median income among all lowest 10 percent incomes by county. That is, it has the greatest income disparities. See Table D-6 on the following page.

Another striking feature of Table D-6 is that the median income of the 5% of families in Morrow County is \$12,000 greater than for the comparable 5% of families in the state as a whole. To what extent this pattern persists in Lexington is not know, but one may assume that pattern is most strongly evinced in the rural areas, where both farm and ranch owners with high before tax incomes (which are often net losses after production costs and taxes are subtracted) and migratory farm laborers live.

Median Income in Dollars Before Taxes by Deciles for North Central Eastern Oregon Counties, 1978

			County			State
Percentile	MORROW Families	UMATILLA Families	GRANT Families	GILLIAM Families	WHEELER Families	Families
First 10%	4,508	5,049	5,736	5,586	4,579	5,668
Second 10%	8,843	8,174	7,657	8,432	8,459	6,097
Third 10%	11,062	10,631	9,786	10,224	10,175	12,092
Fourth 10%	13,067	12,881	12,329	11,765	11,606	14,498
Fifth 10%	14,910	14,903	14,192	13,317	12,735	16,768
Sixth 10%	18,554	17,053	16,108	14,357	13,645	19,211
Seventh 10%	21,171	19,631	18,482	17,030	16,211	21,981
Eighth 10%	26,303	23,850	21,780	21,585	18,952	26,585
Ninth 10%	38,393	31,043	26,815	28,775	22,351	36,470
Last 5%	55,424	. 39,177	38,069	35,687	32,174	43,053
State Rank of Overall Median Family Income	22nd	23rd	28th	32nd	36th	

Average family income fluctuates considerably for Morrow County residents, depending primarily on crop prices and yields. 1970 census data (1969 incomes) is the most current information available. At that time Morrow County's mean family income was \$9361 and ranked 13th in the state. Comparable 1970 census figures for several other Eastern Oregon counties are listed bleow.

County	1969 Mean Family Income	1969 Median Family Income
Baker	\$7,008	\$6,980
Crook	\$8,846	\$8,149
Deschutes	\$9,639	\$8,537
Gilliam	\$8,731	\$8,158
Harney.	\$8,970	\$8,353
Hood River	\$8,741	\$7,859
Jefferson	\$9,293	\$8,528
Klamath	\$8,691	\$7,951
Lake	\$9,008	\$8,903
Malheur	\$7,824	\$7,373
Morrow	\$9,361	\$8,386
Sherman	\$9,206	\$9,081
Umatilla	\$9,011	\$8,296
Union	\$9,329	\$8,314
Wasco	\$9,064	 \$8,864
Wallowa	\$8,955	\$7,731
Wheeler	\$8,073	\$7,481

Deschutes and Harney Counties are the only Eastern Oregon Counties with higher mean family incomes that Morrow County.

Mean (arithmetic mean or average) family income represents the total of all family incomes divided by the number of families in the sample. Median family income represents the family income that is the midpoint - that is - half the families have incomes greater than the median income and half have incomes less than the median.

E. Employment

Employment figures present a problem of comparability of reporting categories between the housing survey results and official county data similar to that observed in comparing income data. The survey questionnaire did not distinquish clearly between economic sector employment, e.g. finance or trade, and employment class, e.g. blue collar or white collar. The residential survey results then are not directly comparable with Oregon Employment Division figures reported by sector employment on a place of work basis.

The residential survey data are displayed in Table E-1 below, which gives the number and percent of respondents classifying themselves in each category in 1976.

TABLE E-1

<u>Employment in Lexington</u>, 1976

<u>Types of Employment: Lexington City Residents</u>

	Head of	Household	Second W	age Earner	TOTALS		
	Number	Percent	Number	Percent	Number	Percent	
Lumber	5	25	3	20	8	23	
Agriculture	4	20	1	7	5	14	
Education	1	5	1	7	2	6	
Construction	0	0	0	0	0	0	
Clerical Retail	0	0	0	0	0	0	
Blue Collar	2	10	1	7	3	8	
Professional Managerial	2	10	2	13	4	11	
White Collar	0	0	0	- 0	0	0	
Housewife	1	5	4	26	5	14	
Retired	5	25	2	13	7	21	
Unemployed	0	0	1	7	1	3	
TOTAL	20	100	15	100	35	100	

Source: Housing Survey, October, 1976.

For purposes of comparison, Table E-2 gives the October, 1976 county employment figures by place of work.

TABLE E-2

Morrow County Employment by Sector, October, 1976

Cate	egory	Number	Percentage
Lumber and Wo	ood Processing	330	8.2
Food Process	ing	420	10.4
Other Manufac	cturing	20	.5
Contract Cons	struction	330	8.2
Transport, Co and Utilit	ommunications, ies	120	3.0
Trade		420	10.4
Finance, Inst Real Estate		50	1.2
Service and N	Miscellaneous	130	3.2
Government		440	10.9
Unemployment		190	4.7
	TOTAL*	4030	100.00

Source: Oregon State Employment Division

One may reasonably conclude from this comparison that unemployment is less serious a problem in Lexington than in the county as a whole. The seasonally adjusted unemployment rate for Morrow County in October. 1976, was 5.1 and the yearly average was 6.5, which information reaffirms this belief. Skewing of the survey data may have worked either for or against this conclusion, depending on the likelihood of unemployed persons in Lexington to fill out the survey relative to other citizens.

^{*} Includes agricultural and self-employed.

The only points at which the two tables are directly comparable are for lumber and construction employment. In these categories the percentages for the survey and for county data, respectively, 23% compared with 8.2% and 0% compared to 8.2%. It is possible that Lexington has more persons employed by the lumber industry than the county as a whole, but 23% is higher than seems reasonable. The lack of any respondents employed in construction is surprizing and it is unlikely that no city residents are employed in construction. However, given the preponderance of construction activity in the North End, it is not impossible. Although not directly comparable to county data categories, some conclusions can be drawn from the remaining figures. The 14% employment in agriculture seems reasonable given Lexington's location and the importance of agriculture to the county. About 11% of those completing the survey, indicated they are employed professionally or managerially, which probably includes government and service related positions in Heppner.

In 1977, Lexington had one restaurant-tavern, one grocery store, five service stations or repair shops, one trucking firm, and one distributorship. Morrow County Grain Growers' main office is located in Lexington and is the largest employer in the city. Total employment is 26 full time employers, with 20 of those working in Lexington. Figures from the cooperative indicate only 5 employees live in Lexington, however, with most (17) residing in Heppner.

Information from the community survey indicates that most Lexington residents are employed in Heppner with over one third employed in Lexington. About 8% of respondents are employed in Ione and no respondents worked in Boardman or other North End cities. Table E-3 shows the results of the community survey.

TABLE E-3

Place of Employment of Lexington Residents
October, 1976

Place of	Head of	Household	Second W	age Earner	TOT	AL
Employment	Number	Percent	Number	Percent	Number	Percen
Lexington	8	47	1	13	9	36
Heppner	7	41	7	87	14	56
Ione	2	12	0	0	2	8
Boardman-Irrigon	0	0	0	0	0	0
Hermiston-Umatilla	0	0	0	0	0	0
Ordnance	0	0	0	0	0	0
Other	0	0	0	. 0	0	0
TOTAL	17	100	8	100	25	100

Table E-4 shows the trade and service location preferences of Ione, Lexington and Heppner residents.

TABLE E-4
Purchases of Heppner Residents
by Place and Kind

Article		Plac	e of Purcha	se		
	Heppner	Ione-Lexington	Hermiston	Pendleton Pendleton	Other	TOTAL
Clothes	42%	-0-	5%	25%	28%	100%
Gasoline	78%	11%	5%	3%	3%	100%
Groceries	60%	1%	15%	21%	3%	100%
Furniture	57%	-0-	-0-	15%	28%	100%
Automobiles	38%	5%	4%	22%	31%	100%
Hardware and Building Supplies	71%	12%	2%	6%	9%	100%

Purchases of Ione Residents by Place and Kind

Article		2	Place of Pr	urchase		
	Ione	Heppner	Hermiston	Tri-City	Other	TOTAL
Clothes	-0-	28%	13%	16%	43%	100%
Gasoline	74%	5%	3.0	-0-	18%	100%
Groceries	53%	9%	17%	2%	19%	100%
Furniture	-0-	17%	14%	6%	63%	100%
Automobiles	-0-	17%	7%	3%	73%	100%
Hardware and						
Building Supplies	60%	15%	4%	1%	20%	100%
Farm Supplies	29%	29%	2%	5%	35%	100%

Purchases of Lexington Residents by Place and Kind

<u>Article</u>		<u>P1</u>	ace of Purc	hase		
	Lexington	Heppner	Hermiston	Pendleton	Other	TOTAL
Clothes	-0-	17%	11%	39%	33%	100%
Gasoline Gasoline	90%	10%	-0-	-0-	-0-	100%
Groceries	19%	15%	48%	15%	3%	100%
Furniture	-0-	25%	50%	6%	19%	100%
Hardware and					0.00	2.W 100
Building Supplies	59%	27%	9%	-0-	5%	100%
Automobiles	6%	29%	18%	18%	29%	100%

SOURCE: Community Survey, E.C.O.A.C., October, 1976

These survey results indicate that Lexington residents shop for gasoline, hardware and building supplies in Lexington. Most other purchases such as groceries, furniture, automobiles and clothes are made in other cities incliding Hermiston, Pendleton and Portland though some are made in Heppner.

Another survey, conducted by the Morrow County Chamber of Commerce and Extension Service, provies information about where urban rural residents of Southern Morrow County shop for various goods. The survey was conducted by mail about 1972. Southern Morrow County was divided into the three geographic areas shwon below:

- Area 1 included Heppner, Lexington, and farms and ranches within 10 miles of Heppner.
- $\underline{\text{Area}}\ \underline{2}$ included Ione and farms and ranches from 10 to 30 miles from Heppner.
- Area 3 included Spray, Monument, Kimberly, Fossil, Kinzua, and farms and ranches over 30 miles from Heppner.

Of the 1,548 questionnaires mailed to households, 485 or 31% were returned. Of those processed, 298 came from Area 1, 96 from Area 2, and 82 from Area 3. The results of the survey are shown in Table E-5.

TABLE E-5
Percentage of Shopping Dollars
Spent in South Morrow County

	Average	% of Dollars	Spent
	Area 1 Residents	Area 2 Residents	Area 3 Residents
Clothes	37%	33%	3%
Groceries	69%	71%	12%
Furniture	38%	13%	.5%
Automobiles	31%	25%	5%
Hardware, Lumber & Building Supplies	70%	69%	21%
Jewelry	58%	50%	5%
Drugs & Veterinary Supplies	73%	66%	15%
Heavy Appliances	47%	36%	8%
Machine & Equipment Repairs	45%	54%	4%
Sporting Goods & Recreation Equipment	43%	30%	2%
White Goods	20%	16%	.3%

Source: "Community Survey for South Morrow County", approx. 1972. Conducted by Morrow County Chamber of Commerce, Extension Economist, Stanley Miles, and Extension Agent, Harold Kerr. Though this survey was conducted about 4 years before the community survey, it is doubtful that shopping habits changed significantly for residents of Southern Morrow County during these years. Assuming that shopping habits have not changed substantially, it is possible to compare the two tables for the categories of clothes, groceries, furniture, automobiles, hardware, and building supplies.

The results of the two surveys correspond fairly closely when purchases of Area 1 residents are compared with those of Heppner residents. Rural residents apparently do slightly more grocery shopping in Southern Morrow County than do Heppner residents (69% compared with 61%), but do somewhat less shopping for clothes (31% compared with 42%), furniture (38% compared with 57%), and automobiles (31% compared with 38%). Hardware and building supplies were purchased as often in Southern Morrow County by Area 1 residents as by Heppner residents (70% and 71% respectively).

When purchases of Area 2 residents are compared with those of Lexington residents, the differences are more pronounced. Area 2 residents purchase considerably more clothes and groceries in the south end than do Lexington residents (33% compared with 17% and 71% compared with 34%). However, furniture, hardware, building supplies, and automobiles are all purchased more often in the Heppner/Lexington area by Lexington residents than by Area 2 residents.

The survey indicates Area 3 residents shop for all listed goods less often in the southern part of the county than do Ione residents. Apparently, most county residents living over 30 miles from Heppner trade in Hermiston, Pendleton, and other cities for most goods.

It should also be noted that southern Morrow County retains over 50% of the trade in a 30 mile radius for such purchases as jewelry, drugs, and veterinary supplies, and nearly that percentage of heavy appliances, machinery and equipment repair purchases. Thus, it seems that Heppner, and to some degree Lexington; are important trade and service centers for many rural Morrow County residents.

Table E-6 presents a confusing situation. While the number of retail establishments and value of retail sales have declined in Morrow County, the value per firm has increased, although not much in real terms (adjusted to inflation). This is not surprising, given the observed trend toward driving long distance to shop among South End Morrow County residents. Hermiston, Pendleton, and Tri-Cities and Portland all get trade that was reserved for local businesses in the fifties and before.

TABLE E-6
Wholesale and Retail Trade
and Selected Services* in Morrow County

	Numb	er of Estab	lishments	Tota	Retail Sa	les, \$000
Year	Retail	Services	Wholesale	Retail	Services	Wholesale
1963	80	27	11	6,966	367	7,502
1967	75	32	11	6,803	471	5,050
1972	• 59	36	20	5,789	1,293	3,453

*Hotels, laundries, beauty shops, repair shops, theaters, etc.

Wholesale trade, on the other hand, decreased between 1963 and 1967, then increased in both number of firms and value of sales. The 20 firms operating in Morrow County in 1972 shared total sales that were less in real terms than those of 1963. The increase in wholesale firms is probably attributable to construction, irrigations, and processing activity in the North End. Lexington and other Southern Morrow Counties Cities' trade has not benefited noticeably from these developments, although increased County Court business and expansion of county services to meet North End growth demands will inevitably have their effect on commerce.

One can only conjecture as to the location of the nine net new service establishments and the source of the significant increase in the dollar value of services. Probably much of the new money and many of the new firms are associated with freeway traffic in the Boardman area. How much service activity in Lexington has grown is unknown.

One may conclude that Lexington's economy primarily benefits from its ability to capture most of the local trade for farm and household necessities, while most of the residents' needs are met in other larger towns. It appears that Lexington is not receiving much of the money or trade associated with the economic expansion in Northern Morrow County.

Economic Development

Lexington has designated land along the Union Pacific Railroad for industrial development. No other large tracts have been set aside for development for several reasons. The city believes it does not have adequate resources such as sewer system, suitable land type, good transportation and freight linkages to realistically set aside land for industrial use at this time. Responses to the community survey indicated most Lexington residents did not desire to attract industry. A majority (55 percent) also felt non-industrial employment opportunities were needed "not much". Responses to survey questions 23/27 and 24/28 (top of page 2 in all four surveys) are tabulated in Table E-7 and E-8

TABLE E-7

Responses to Question 23/27*

"How badly do we need new industry and the jobs it brings?"

City	Great Deal	% of City Totals	Quite a Bit	% of City Totals	Not Much	% of City Totals	None	% of City Totals	Total Responses	Percent of Total Sample
Heppner	10	17.9	15	26.8	22	39.3	9	16.1	56	33.9
Ione	23	33.3	22	31.9	10	14.5	14	20.3	69	41.8
Irrigon	8	33.3	7	29.2	2	8.3	7	29.2	24	14.5
Lexington	2	12.5	3	18.8	8	50.0	3	18.8	16	9.7
TOTAL	43	26.1	47	28.5	42	25.5	33	20.0	165	100.0

^{*} Excluding "Don't Knows".

TABLE E-8

Responses to Question 24/28*

"How badly do we need new non-industrial employment opportunities?"

City	Great Deal	% of City Totals	Quite a Bit	% of City Totals	Not Much	% of City Totals	None	% of City Totals	Total Responses	Percent of Total Sample
Heppner	15	26.8	27	48.2	9	16.1	5	8.9	56	35.7
Ione	20	31.7	29	46.0	10	15.9	4	6.3	63	40.1
Irrigon	10	43.5	8	34.8	4	17.4	1	4.3	23	14.6
Lexington	2	13.3	5	33.3	8	55.3	0		15	9.6
TOTAL	47	29.9	69	43.9	31	19.7	10	6.4	157	100.0

^{*} Excluding "Don't Knows".

Though the response rate was not high in Lexington (about 17 percent), the information seems to indicate that a significant number of residents do not wish to attract industry to the city. If the city were to obtain a sewer system, uncertainties about the flood plain and available land are resolved, and city residents decide to encourage economic development, the comprehensive plan should be revised to reflect those circumstances.

[&]quot;Don't Knows" totaled 12 and 16 responses respectively.

F. City Financial Base

Some indication of current area economic conditions is provided by assessed valuations, tax rates and bonded indebtedness figures. Table F-1 shows the assessed valuation of Morrow County and its' five cities for several years after 1971. The table points up the large amount of growth that has occurred in the two North End cities, Irrigon and Boardman. If it is assumed that inflation and increasing property values account for at least 10% of the annual increase, it becomes even more apparent that southern Morrow County cities have experienced a lesser degree of growth than Irrigon and Boardman.

TABLE F-1 VALUATION

		Year (as of January 1)		
TOTAL VALUE	1971	1972	1974	1975	1976	197
orrow County	\$ 88,583,105	\$ 91,970,828	\$126,753,380	\$193,125,965	\$236,334,552	\$285,97
eppner	7,274,332	7,470,083	8,398,521	11,619,769	13,212,988	14,97
one	1,430,563	1,511,182	1,749,444	2,151,539	2,286,844	2,93
exington	1,316,040	1,512,097	1,699,326	2,028,183	2,316,529	. 2,67
rigon	711,814	806,221	1,245,077	1,706,540	2,482,873	3,69
oardman	2,389,086	3,542,298	4,083,452	5,193,512	6,754,540	12,05

VALUATION SUMMARY

	\$ Increase, 1971-77	% Increase, 1971-77	% Increase Population, 19
orrow County	\$197,393,798	222%	24.3%
≥ppner	7,696,856	106%	23.0%
ne	1,509,079	105%	20.0%
exington	1,358,157	103%	7.0%
rigon	2,986,767	420%	59.0%
ıardman	9,668,300	405%	431.0%

SOURCE: Assessment and Tax Roll Summaries, Morrow County, Oregon, January 1, 1971, through 1977.

It should also be noted that though the southern Morrow cities have increased tremendously in total valuation, their share of the total county valuation has decreased since 1971. Heppner's total value was about 8% of the total county assessment in 1971, and about 5% in 1977. Ione and Lexington's share of total county value has also decreased from 1.6% to 1.0% and from 1.5% to .9% respectively. Irrigon and Boardman have realized an increase in their share of total county value from .8% to 1.3% and from 2.7% to 4.2% respectively. All in all, the five cities combined valuation has decreased as a share of total county value from about 14.8% in 1971 to about 12.7% in 1977. The corresponding increase in the rural share of total county value beginning in 1975 can be attributed primarily to construction of the Carty Electrical Generation Plant.

A comparison of city tax rates and the base rate for rural Morrow County (tax district 0-1) is shown in Table F-2. Generally, as assessed valuation has increased, tax rates have declined. This was particularly true during 1975 and 1976, when the Carty coal-fired electrical generation plant was under construction and was contributing to total county valuation. In the two year period between January 1, 1975 and January 1, 1977, total county valuation rose over \$92 million. Most of this increase (about 79 million) occurred outside of the five cities.

TABLE F-2
TAX RATE BY CODE

)	HEPPNER .		TUNE		LEX	LEXINGION		IRRIGON		MURROW COUNTY	
	Tax Rate	Avg Annual % Change									
2	27.56		26.80		22.39		25.14		16.57		
2	29.78	+ 8	26.91	+ 4	22.44	+ 2	24.50	- 3	12.66	-24	
2	24.64	- 9	23.26	- 7	19.10	- 8	21.76	- 6	14.23	+ 6	
2	25.90	+ 5	18.38	-21	14.55	-24	17.03	-22	13.66	- 4	
2	23.78	- 8	17.38	- 5	13.62	- 6	18.85	+11	12.74	- 7	
1	18.82	-21	16.56	- 5	11.90	-13	15.46	-18	11.13	-13	

MODDON COUNTY

SOURCE: Assessment and Tax Roll Summaries, Morrow County, Oregon, January 1, 1971 through 1977.

A breakdown of the City of Lexington's tax per \$1000 is included in Table F-3. The percentage of total city taxes allocated for schools has remained fairly constant in this decade, though the total tax per \$1000 has decreased by nearly 50 percent.

TABLE F-3
TAX RATE BREAKDOWN
CITY OF LEXINGTON

	1971		1972		1975		1976		1977	
	Tax \$ Rate	% Total Tax Rate	Tax \$ Rate	% Tot Tax R						
Morrow County	4.18	19%	4.12	18%	2.39	16%	2.02	15%	1.55	13
County School	14.46	64%	14.73	66%	9.19	63%	8.82	65%	7.58	64
Port of Morrow	.33	1%	.32	- 1%	.17	1%	.14	1%	.13	1
School R-1 B&I	.66	3%	.61	3%						
8. M. Ed. District	1.69	8%	1.71	8%	1.91	13%	1.76	13%	1.87	16
City	.83	4%	.74	3%	.67	5%	.62	4%	.57	5
Other Spec. Dist.	.24	1%	.21	1%	.22	2%	.26	2%	.20	1
TOTAL	22.39	100%	22.44	100%	14.55	100%	13.62	100%	11.90	100

SOURCE: Assessment and Tax Roll Summaries, Morrow County, Oregon, January 1, 1971 through January 1, 1977.

Total bonded indebtedness of the City of Lexington was \$141,863 as of December 31, 1977. This debt is the result of water system improvements completed in 1974. The total debt is about 5.3% of the assessed value of the city.

G. Housing

A housing condition survey was conducted in Lexington in May of 1977. General condition of typical houses and mobile homes was assessed on the basis of structural condition as viewed from the street. The criteria used for classification in the three categories above average, average, and below average are given below.

<u>above average</u> - houses generally in excellent condition and with no apparent structural deficiencies. <u>average</u> - houses generally in good condition with possible minor work needed, but no major structural deficiency.

<u>below average</u> - houses generally in deteriorated or dilapidated condition, often with apparent structural deficiency.

While the survey criteria are somewhat subjective and the "running board" method of surveying is superficial, at best, the survey gives some indication of the number, type, and condition of housing units in the city. Results of the survey are found in Table G-1, page 6.33. Questions about housing were also included in the community survey conducted in 1976.

These surveys indicated that Lexington had about 67 single-family houses and 19 mobile homes for 86 total households in the city. There is an average of 3.3 persons per household in Lexington which is somewhat higher than other cities in the county. All respondents to the community survey indicated they owned their homes and none rented. Most respondents also felt there was little or almost no choice of housing for new residents.

The lack of housing stock in Lexington seems to result from at least two factors. First, Morrow County is experiencing rapid growth primarily because of agri-business expansion and energy developments in the northern part of the county. Lexington is receiving a small portion of this growth and consequently is feeling more pressures of growth than in prior years. Second, the initial growth pressure has occurred during a time of tight money and high inflation which has limited the construction of an adequate housing stock.

Several types of housing are needed in Lexington according to responses received from the community survey. Most survey participants indicated need of low and moderately priced homes to buy, homes to rent, and mobile homes. Recognized need of apartments, more expensive homes to buy, and duplexes was significantly less than for the other types of housing mentioned.

Lexington's 1977 population is estimated at 245 by Portland State University. The maximum population projections now available for Lexington were prepared by E.C.O.A.C. The projections are in draft form and may be revised as they are reviewed and more information on economic development in the area is available. These projections allow for considerately

greater growth in the county than do projections made by Portland State University and Pacific Northwest Bell. These projections are in the process of being updated, however. At any rate, the maximum population forecast for Lexington in the year 2000 is 400 (see Table C-5, page 6.11). This projection is based on the general assumptions that agriculture, food processing and light industry will continue to grow at or near 1970-75 levels; that there is continued construction of all energy facilities now projected in the area; that industrial expansion occurs at the Ports of Morrow and Umatilla, Hinkle, and Pendleton, and that other sectors (including forestry and wood products) continue the economic trends of 1970-75. See the appendix of this report for a more detailed description of the projections.

With a projected population of 400 and a present population 245, it appears that Lexington can reasonably plan for a population growth of about 155 persons by 2000. With an occupancy rate of 2.5 persons per dwelling and a dwelling density of 4 dwellings per acre, Lexington would require 16 acres of land to accomodate forecasted residential needs. The same assumptions indicate that the city will require 62 additional housing units. If any apartment units or mobile home park area are constructed, the need for additional single-family housing would be lessened.

Other factors affecting growth and therefore housing needs include construction (or lack of) a sewage system, extension of city water services to urban growth areas outside of existing city limits and city policies regarding annexations, zoning, etc. These factors and the general community attitude toward growth have a significant impact on growth in the community and therefore on housing necessary to accomodate increased population. Responses to the community survey suggest that about 53% of the population view additional growth as not desirable while 47% favor it. Similarly, most respondents (69%) also indicated new industry and the new jobs it brings are needed "not much" or "none" and only 47% felt new non-industrial employment opportunities were needed. Community volters resoundingly defeated a ballot question that would have directed the city to issue \$225,000 in general obligation bonds for the construction of a sewer system and treatment plant in November, 1977. The vote was 112 opposed and 33 in favor with 83% of the registered voters casting ballots. This action and the attitudes expressed indicate the community is divided in its opinion about the desirability of growth and generally wants to keep the community as it is. If city policies also enforce this concept then major growth in the city is unlikely and housing needs and availability are likely to remain minimal.

MORROW COUNTY CITIES

		ΥT	TYPICAL HOUSES	s		MOBILE HOMES	OMES			TOTAL DI	TOTAL DWELLINGS	
	ABOVE	AVERAGE	BELOW	TOTAL	ABOVE	AVERAGE	BELOW	TOTAL MOBILE HOMES	AVERAGE	AVERAGE	BELOW	TOTAL
	25	**	28	34	% #	33	***	# %	12 #	% #	*	#
HEPPNER	337 68	117 23	44 9	498 100	36 86	4 10	2 4	42 100	373 69	121 22	46 9	540 100
1011	54 54	34 34	12 12	100 100	22* 85	4 15	1	26 100	09 92	38 30	12 10	126 100
IRRIGON	61 66	22 24	0t 0t	93 100	78** 93	2 9		84 100	139 78	28 16	.9 01	177 100
LEXINGTON	23 34	39 58	52 83	67 100	13 68	5 26	9 1	001 61	36 42	44 51	6 7	86 100

* Includes 7 mobile homes in parks.

Housing surveys were conducted during May of 1977.

Above Average - Houses generally in excellent condition
. and with no apparent structural deficiency.

Average - Houses generally in good condition with possible minor work needed, but no major structural deficiency.

Below Average - Houses generally in deteriorated or dilapidated condition, often with apparent structural deficiency.

H. Community Services

Schools

Lexington is a part of the Morrow County School District with administrative offices located at Lexington in what was formerly (before consolidation in 1960) the Lexington school building. Lexington students presently have the option of attending school in Heppner or in Ione. This system has caused somewhat of an imbalance in utilization of facilities. One example is at Heppner Elementary where students are over capacity enrollment while at Ione Elementary enrollment is well below facility capacity. Some sort of assignment policy based on available student space may be implemented to help correct the unbalanced situation.

An inventory of facilities and school enrollment is given below.

1978 SCHOOL INVENTORY

Current Enrollment - 1647 Total

SCH00L	CURRENT ENROLLMENT	CAPACITY
Ione Elementary Ione High School	108 100	140 130
Heppner Elementary Heppner Jr. High Heppner High School	196 272 216	180 273
Riverside JrSr. High School	330	280
Irrigon Elementary	425	420

Gathered by E.C.O.A.C. Staff, 1978.

Law Enforcement

There is no city police department in Lexington. Law enforcement services are presently provided by the Morrow County Sheriff's Department, head-quartered in Heppner. Most respondents to the community attitude survey indicated that law enforcement traffic control services were below average or poor, while 15% indicated the services were average or good. Interestingly, 40% of respondents indicated other enforcement activities were good or average while 60% found them below average or poor. Most respondents saw either a "great need" or "some need" for improvement of all services.

The Morrow County Sheriff's Department is comprised of a sheriff, three deputies, support staff, and a posse of 25 members that function primarily in search and rescue operations. The department has four patrol cars.

In July, 1978, Lexington will be served by a 911 emergency central access system. The 911 telephone number will connect the calling party with police, fire, or ambulance service through the Morrow County Sheriff's office. The 911 number is easily remembered and dialed in emergencies and should be of special value to children and elderly persons. It is estimated that about 70% of emergency calls are for police assistance or a combination of police-fire or police-medical assistance. The system is funded in part by the city of Lexington.

Fire Protection

Fire protection services are provided by the Lexington volunteer fire department to properties within the city limits. Lexington has one fire truck and six volunteers. The city has a protection class rating of 8. This rating indicates the amount of fire risk (and adequacy of community protection services) that insurance premiums are based on. The rating is based on a scale of 1 - 10 with 10 being the highest risk category. The class rating of 8 in Lexington applies only to properties "within 500 feet of a standard public fire hydrant on a four inch water main," according to the "Insurance Services of Oregon Bulletin No. 2-63."

The Lexington community survey indicated that 70% of the respondents felt fire protection was "average" to "good" while 66% recognized "some" or a "great" need for improvement.

Social and Health Services

Lexington has a variety of social and health services available either within the city or in nearby cities. State agencies include the Adult and Family Services Division (State Welfare Division) and the Children's Services Division with offices in Heppner.

Legal Aid is available to residents of Morrow County through the Umatilla-Morrow County Legal Aid Service. In the past, an attorney was in Heppner one day per month on a regular basis. Because legal services were generally urgently needed on relatively short notice, and because attorneys in Heppner were willing to provide low cost services, the monthly schedule was not very effective. As a result, legal aid attorneys have discontinued the monthly office day in Heppner. An attorney is available twice weekly (Tuesday morning and Wednesday evening) at Hermiston. Residents of northern Morrow County do make use of these opportunities for assistance. Legal Aid is also available at the legal aid office in Pendleton at any time. Attorneys there try to conduct as much business over the telephone and through the mail as possible, and do travel to Morrow County for specific appointments.

The Retired Senior Volunteer Program (RSVP) is very active in Morrow County. This program is made up of retired persons over age 60 who want to provide volunteer service to non-profit organizations including service providing agencies. Volunteers assist in setting up and serving meals to senior citizens, answering information and referal phone calls, and other projects.

A meal site is not provided for senior citizens in Lexington.

Homemaker services are provided through the Oregon Project Independence (OPI) program. This program is designed to provide senior citizens with the services necessary to keep them in their homes. Workers will do such things as light housekeeping, bathing, menu planning, and shopping for participants.

A limited escort (transportation) program is in effect in Morrow County. Through it, mileage is paid to volunteers who take seniors to doctor appointments, on shopping trips, etc.

The Morrow County juvenile Department is headquartered in the Courthouse in Heppner.

The Blue Mountain Economic Development Council serves Morrow County. They have assisted with childrens programs (4 C's) and in the past have helped support the Day Care Center at Heppner. The center is no longer operating. Other programs include winterization, youth food and nutrition projects, a small emergency loan program, head start, foster grandparent program, and support of a grocery store in Pendleton for persons with low incomes to shop at. Council programs are designed to provide assistance to low income groups including the elderly.

Health care is provided to the Lexington area by four practicing medical doctors and two dentists with offices in Heppner, the Morrow County Health Department, and Pioneer Memorial Hospital located in Heppner. The County Health Department is staffed by a full time Registered Nurse, a part time health officer and a part time clerk-typist. The department maintains an office at Lexington and visits other communities and schools periodically. Services most often provided include teaching, surveillance, and follow up care

The Home Health Agency, operating under the Tri-County Health Program (Morrow, Wheeler and Gilliam Counties) provides skilled nursing care for home bound patients with supervision of a physician or osteopath. The program serves primarily senior citizens who receive Medicare and it enables patients to obtain health care without being admitted to a nursing home or hospital. In Morrow County, staff nurses are located at Boardman and Heppner who provide services in 20 mile radius.

Pioneer Memorial Hospital has 20 beds available for acute care and has experienced an occupancy rate of about 37% in 1977. Twenty-four beds are also available for long-term nursing care. These facilities had an occupancy rate of about 94% in 1977. Four medical doctors and two dentists are on the staff of the hospital with a radiologist, pathologist, and cardiologist available on a consultant basis. Eight Registered Nurses are employed full time in addition to five full time Licensed Practical Nurses.

Other medical facilities (including ambulance services) are available at Hermiston, Umatilla, and Pendleton. A new clinic is also being built in Boardman.

Most Lexington residents who responded to the community survey indicated present medical and health facilities are average to excellent while about half indicated a need for improvement.

Parks and Recreation

Lexington has a park located across Highway 74 from the old school building. It is developed as an athletic field. About half of the respondents to the community survey indicated Lexington park and picnic areas were average to good and slightly more than half saw no need of improvement. Slightly more than half of the respondents indicated public meeting places and recreation facilities were below average or poor and most (66%) recognized some need for improvement. About 88% of the respondents recognized a need for improvement of meeting places and recreation facilities for teenagers. Some improvement of recreation facilities and meeting places for adults and senior citizens was indicated by about half of the survey participants.

Nearby mountains and forest land provide Lexington residents with opportunities for hunting, fishing, camping, hiking, cross-county skiing, and snow mobiling. Golf courses are located at Heppner and Boardman. Theaters are found at Hermiston and Pendleton.

Morrow County Airport is located just north of Lexington and provides a paved runway and plane servicing facilities for persons wishing to fly for pleasure or business.

There are several parks located in Morrow County. Anson Wright Park and Cutsforth Park are south of Heppner. Cutsforth Park and Chapin Creek Park are maintained by the county. Penland Lake, located above Heppner on the Willow Creek Drainage, has a Forest Service recreation site as well as privately owned cabins and camp areas. Some boating is allowed on the lake. Winter sports, including cross country skiing and snowmobiling are also popular in the forests South of Heppner.

In northern Morrow County, the Columbia River provides opportunities for motor-boating, water skiing, and fishing. A boat launch is located at Irrigon. A riverside park with picnic facilities is also maintained there.

No specific goals or projects have been planned by the Department of Transportation, Parks and Recreation Branch for Morrow County in the period form 1979 to 1985.

Historic Preservation

Historic sites and buildings of Lexington that are included in the Oregon inventory are discussed in Chapter V(H). Another building that Lexington residents who responded to the community survey recognized as of historical importance was the old school house.

The Morrow County Historical Society works with the museum at Heppner and is involved in other related acitivities in the area.

Communications

Morrow County has one weekly newspaper, The Heppner Gazette Times, published in Heppner. It has a circulation of about 2500. The Lexington area is served daily by the East Oregonian, published in Pendleton, the

Tri-City Herald, Tri-Cities, and The Oregonian and The Oregon Journal from Portland.

Lexington is served by Pacific Northwest Bell Telephone Company. Telegraph service is provided by Western Union.

There are no locally owned television stations in Morrow or Umatilla Counties; however, there are three in the Tri-Cities area. Networks ABC, CBS, and NBC are received in Lexington by cable and antennae. Portland, Eugene, and Salem, Oregon stations serve the area also.

Four radio stations located in Hermiston and Pendleton serve the area. They are KTIX, KUMA, and KRBM-FM in Pendlton and KOHU in Hermiston. Stations in the Tri-Cities, The Dalles, and at times Spokane can also be received.

Community Facilities

Sewage Facilities

The sewage disposal system is an integral part of Lexington's infrastructure because of its essential role in public health and welfare. An adequate sewage collection and disposal system is necessary to allow future economic and housing development. A definate plan for sewage collection and treatment should insure the fulfillment of the following objectives:

- a. To create a sewage system which is current, flexible, and coordinated with the comprehensive plan of the community.
- b. Permit orderly and tiley expansion of the sewage system on a sound financial basis, without costly "crash" programs.
- c. To insure a safe, efficient means for the transport of sewage from source to treatment.
- d. To provide adequate and complete treatment of sewage in order to preserve and protect environmental quality.
- e. To continually improve and maintain the sewage system in a manner that will allow it to carry out its intended functions.

Present Conditions

The City of Lexington's present sewage facilities consist of individual septic tanks and drainfields, and in some instances, cess pools. There are a few areas within Lexington where the addition of new septic tank systems will be restricted by the DEQ, due to poor soil conditions and small lot sizes, but on the whole most of the area within the City is acceptable for septic tanks. There is currently no present danger of harmful effects caused by the effluent from the septic tank systems in Lexington, although some minor groundwater and surface water contamination has been documented in areas which may have been caused by subsurface sewage disposal.

In 1977, a wastewater facilities plan was completed and submitted to the City by a consulting engineer representing Lexington. This facility plan investigated present and future sewage needs for the area and compared various alternatives for handling those needs. The most environmentally sound and economically feasible method of handling Lexington's wastewater flows was determined to consist of the construction of a centrally located municipal sewage treatment plant, in the form of a stabilization lagoon facility, and a sewerage system for the area.

On November 29, 1977, a ballot question that would allow the City of Lexington to issue \$125,000 in general obligation bonds for the construction of the sewage facility was defeated. Therefore, the plan for installing a new sewage facility has been rejected and the city does not expect to persue any future development in that area.

Future Needs

With the adoption of the "State-Wide Water Quality Management Plan" in 1977, the Oregon Department of Environmental Quality (DEQ) has defined water quality standards not to be exceeded and minimum design criteria for treatment and control of wastes pertaining to separate Oregon drainage basins. Lexington is situated inthe Umatilla Drainage basin and all future waste treatment and controls must meet requirements set by DEQ, and must also meet or exceed any more stringent standards required by any other state or federal agency.

Current population projections for the City of Lexington estimate future populations for the year 2,000 to range between 360 and 400 people. To accommodate this growth and insure future environmental and health protection, the addition of a public sewage facility could be advantageous and may, at some point, be required.

Water System

The water system in a community plays an essential role in economic and population growth. A definite plan for provision of water should insure the fulfillment of the following objectives:

- a. To create a water system which is current, flexible and coordinated with the comprehensive plan of the community.
- b. Permit orderly and timely expansion of the water system on a sound financial basis to accommodate growth.
- c. To provide potable water of sufficient quality and quantity for domestic, industrial, commercial, and institutional use which conforms to the Federal Safety of Public Water Systems Act of 1974.
- d. To insure adequate quantities of water at sufficient pressures to accommodate required fire protection.
- e. To continually improve and maintain the water system in a manner that will allow it to carry out its intended functions.

Present System

1. Source

The City of Lexington presently owns three wells, one of which currently produces all the water used by the area. City Well Number One was condemned and City Well Number Two has a high level of contaminants in the water and requires treatment; therefore, neither of these wells are used for water supply purposes. Well Number Three was installed in 1974 and has pumping equipment which is capable of producing 300 gallons per minute. The pump and apurtenances at Well Number Three are relatively new and in good condition. The water table located at well site #3 has been observed to be stable for as long as it has been in use.

2. Storage

Currently, the City of Lexington has two existing elevated reservoirs. Only one of these reservoirs is presently being used. This reservoir consists of a 300,000 gallon capacity above ground, steel tank, which was constructed in 1971. This reservoir is relatively new and in good condition.

3. Distribution

The water distribution system contained within Lexington was originally installed in 1939. Since then, two major renovations have taken place to update and expand that original system. The first improvements were accomplished in 1964, and the second most recent improvements were completed in 1974.

The existing piping in the distribution system consists mainly of six and four inch diameter main and distribution lines. These are made up of Asbestos Cement (AC), Cast Iron and Polyvinylchloride (PVC) materials. Three short sections of two inch diameter galvanized iron, and PVC minor distribution lines are contained within this system. An eight inch diameter Asbestos Cement pipe serves as a water transmission and supply main for the Lexington distribution facilities.

The fire protection capacity of Lexington's water system is adequate, although some fire hydrants are located on four inch diameter piping and the Oregon Health Division and Insurance Services Office recommend them to be hooked into a minimum of six inch lines. Hydrant placement blankets the existing areas very well, water flows and pressures are adequate to insure sufficient firefighting capabilities.

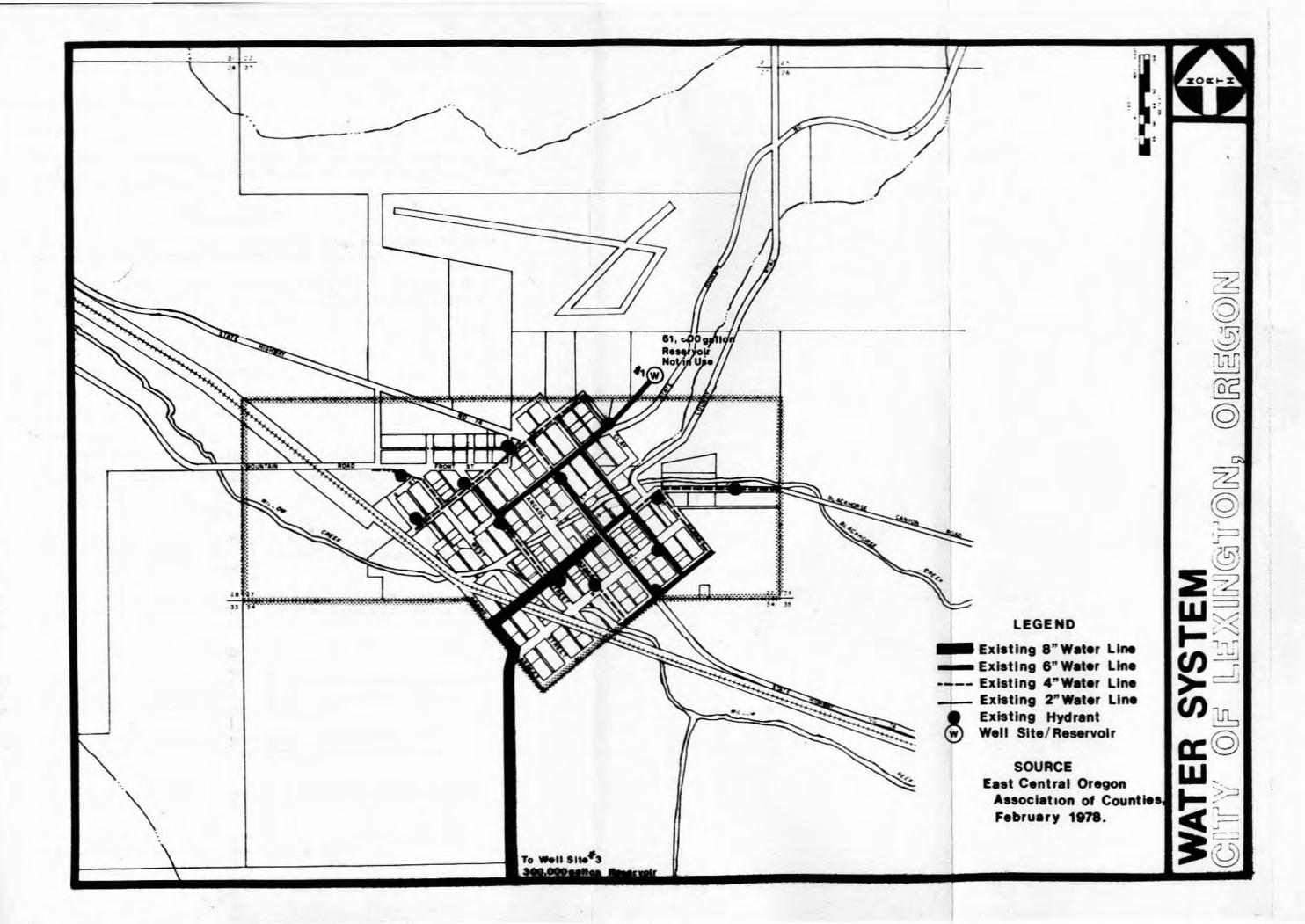
Future Needs

1. Water Source

The existing well with its present pumping capacity (300 gpm), would be capable of supplying an adequate amount of water to serve an approximate population of 1,300 people, assuming an average daily water consumption of 200 gallons per capita and that the pumping equipment at the well would not be used more than 60% of the time. Current population projections for the area within the existing city limits of Lexington estimate future populations to range from 360 to 400 people for the year 2,000. Therefore, all future residential and commercial water requirements should be satisfied by the present water source and pumping capabilities if existing water production conditions are maintained at the well.

2. Storage

The Oregon State Health Division requires that storage facilities, along with source of supply, shall be sufficient to adequately serve all intended users through peak demand periods. Lexington's storage tank is capable of meeting these requirements for all present and projected future demands. Therefore, the addition of new storage facilities for



Lexington cannot be foreseen at this time.

3. Distribution

The existing distribution system is adequate for the present service area. Future growth will have to be supplied through the extension of main lines in the direction of development.

Storm Drainage

The development of sewage and water serivce has taken precedence in small communities while storm drainage has often been neglected.

At present, Lexington has no storm drainage system. This situation does not alleviate the problems associated with flooding and excessive storm runnoff.

The benefits of a storm drainage system are:

- a. reduction of street maintenance
- b. aesthetics improvement
- c. reduction of health hazards
- d. improvement of land value
- e. rate reduction or elimination of flood insurance
- f. reduced soil erosion and non-point source pollution

Future Needs

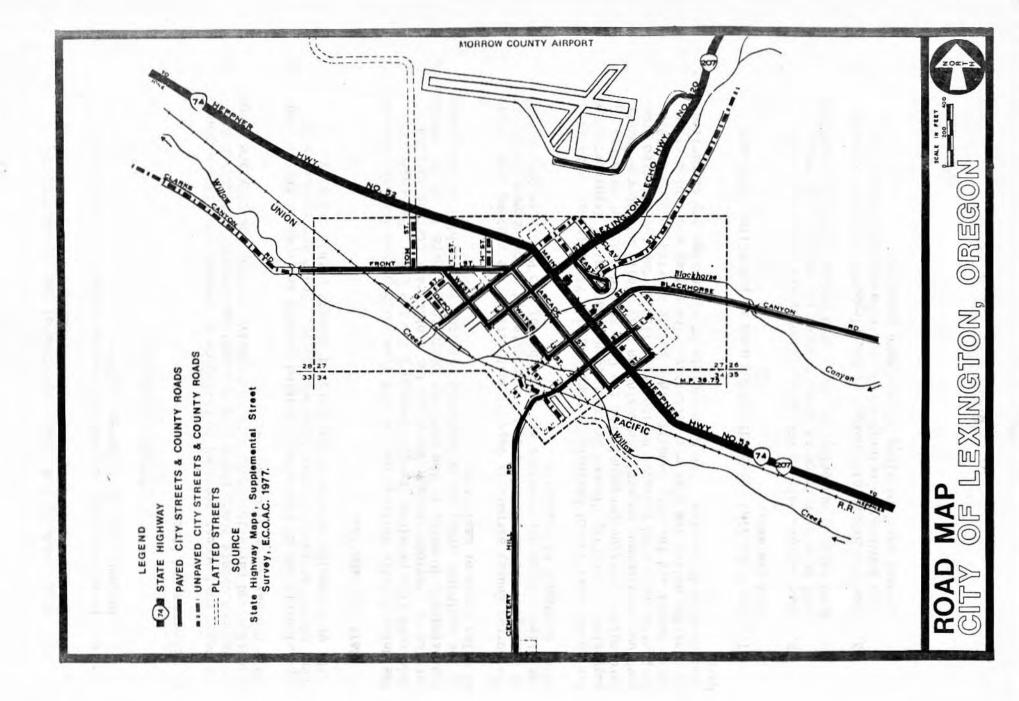
A storm drainage system would be advantageous in the Lexington area. All new subdivisions should be required to incorporate a storm sewer system into their infrastructure improvements.

A storm drainage system should be implemented in the presently populated areas and design consideration given to future expansion to accommodate growth.

Transportation

A well planned transportation system is essential to serve people and commerce of a community. A transportation system should be planned around the fulfillment of the following objectives:

- a. To provide an integrated transportation system that will link the city with regional production, distribution and marketing centers.
- b. To incorporate safety and efficiency factors in transportation system design to allow people and goods to travel conveniently.
- c. To create a transportation system which is current, flexible, and coordinated with the comprehensive plan.



- d. Permit orderly and timely expansion of the transportation system in an economically feasible manner.
- e. To maintain and improve the transportation system to allow it to carry out its intended function.

Present Conditions

1. Highways and Streets

The major road access provided to Lexington is through two state highways and various county roads which link the area to regional production distribution and marketing centers. The highways serving the city are Oregon State Highway Numbers 207 and 74.

Approximately 60% of Lexington's platted streets are open to traffic and about 85-90% of these streets have been paved. There are virtually no curbs or sidewalks on any of the improved streets within the city.

2. Rail, Air and Bus

The Union Pacific Railroad owns a rail line which passes through Lexington. This rail line provides freight transport for the city. Passenger rail service is provided through Amtrak at the Hinkle rail station located approximately 40 miles to the north of Lexington. There is no bus service in the Lexington area, but a Greyhound bus stop is provided in Hermiston, 40 miles north of Lexington.

The Morrow County airport is located just outside the present city limits of Lexington and serves the area with private and minor commercial air facilties. Major air services are available at the Pendleton Airport 50 miles northeast of Lexington.

During the revision of Lexington's Comprehensive Plan, it was verbally suggested to the City Planner by the Oregon Department of Transportation Aeronautics Division personnel that the City should consider measures to preclude development between the Lexington City limits and Morrow County airport's cross wind runway. Notice was mailed to the two affected property owners and the City Council held a public hearing on June 5, 1979 to consider policy and plan map revisions. The matter was tabled after considerable discussion. The major points of disucssion are summarized here.

- The cross wind runway is seldom used as prevailing winds are from the west.
- When improvements to the primary runway are completed, there
 will be a difference in grade between the primary and cross
 wind runways rendering the cross wind runway esentially useless.
- 3. The land breaks off sharply at the airport's southern property line providing a natural vertical clearance zone between the airport and land along its southern boundary.

- 4. The slope of land would preclude development on most of the property irregardless of comp plan designation.
- Land located north of the airport could be utilized for future expansion or improvement of the cross wind runway and clear zones.
- 6. Neither property owner expected to develop his property in the near future though neither wished to forego that option for the entire parcel. They felt that at least portions of the property could be utilized without interfering with airport operations.
- 7. Insufficient information had been given to the City to justify comprehensive plan changes.
- Upon calculation, mapping and on site determination of necessary clear zones by the Aeronautics Division, Lexington and Morrow County may reconsider comprehensive plan designation for affected property.

Future Needs

1. Streets

The City of Lexington should accumulate funds and provide for continued maintenance and expansion of their public streets.

2. Bus

Lexington might benefit from an intra-city bus service especially to serve senior citizens, though most respondents to the community survey indicated they would not support bus service if it was provided.

Utilities

Columbia Basin Electric Cooperative provides electrical service to Heppner, Ione, Lexington, and the surrounding rural area. The cooperative is a Bonneville Power Administration preference customer and currently serves the area with six electrical schedules. Rates vary according to usage and minimum charges are in effect for most schedules.

Schedule 1 - Residential Town and Farm Service.

Available for single phase use to all residential rural consumers and available to all residential town consumers, and for farm building and equipment seasonal service. Monthly rate $1.0 \, \text{¢}$ to $1.25 \, \text{¢}$ per KWH.

Schedule 2 - General Service.

Available and applicable to non-residential customers whose entire requirements are supplied hereunder. Single phase or three phase service is to be supplied at one point of delivery to any municipality, business, or commercial enterprise, institution, or organization to be used for all purposes.

Monthly Rate, Energy Charge: 0.7¢ to 3.0¢ per KWH.

Schedule 3 - Large General Service.

Available to all consumers for service to loads of 100kw or over, for lighting, heating, and power requirements.

Monthly Rate, Energy Charge: .0036¢ to .0125¢ per KWH

Schedule 4 - Irrigation Pumping.

Available for power for agriculture irrigation pumping from April to September, inclusive. Pumping service shall be available during the balance of the year but may be interrupted at the discretion of the cooperative. Rate, Energy Charge: .5¢ to 1.75¢ per KWH per HP per season.

<u>Schedule 5</u> - Recreational Field Lighting-Restricted.

Available to schools, governmental agencies and non-profit organizations. Net Monthly Rate: 2.5¢ per KWH for all KWH.

Schedule 6 - General Service Water Heating.

Available to present non-residential consumers. Next Monthly Rate, Energy Charge: 1.2¢ per KWH.

Morrow County is not served with natural gas. Propane is available in Heppner from Heppner Nor-Gas. Rates are controlled by FEA regulations and average \$.50 per gallon for most orders.

Several oil companys supply Morrow County residents with fuel oil. Included are Chevron-Standard Oil of California, Mobile Oil, Shell Oil, and Morrow Grain Growers.

Portland General Electric has several projects planned in Morrow County that will add to the energy pool upon completion. Carty, a coal fired power generation facility, is scheduled for operation to begin in 1980. At least two nuclear power plants are also in the planning stages. Construction is not expected to begin until after 1980.

Solar and wind resources in the county may also provide the means for energy production in the future.

J. EXISTING LAND USE, ZONING, AND GROWTH MANAGEMENT

Existing Land Use

Most of the land within the Lexington City limits is used for agricultural purposes (58 percent or 99 acres) according to 1976 tax records. All of this land is classified as rural tracts and is held in eleven ownerships. About 50 acres are platted for residential use, though about twelve acres are unimproved. About 27 acres are designated commercial property (14 percent of total land) with nine acres unimproved. Three acres are used industrially along the railroad tracks. Acreage estimates are given in Table J-1.

The existing land use pattern provides a basis for determining the location and extent of future land use and zoning designations. A survey of existing land uses was made by the East Central Oregon Association of Counties in the Fall, 1976, and the resulting map is included on page $\underline{6.51}$.

Existing Zoning and Growth Management

Existing zoning designations were also mapped (see map, page $\underline{6.53}$). Most of the land in Lexington is zoned farm residential (74 percent). About eighteen acres are zoned residential or 9 percent of the land in the city. Twenty-five acres are zoned commercial. Table J-2 shows acreage calculation of zoning classifications.

Zoning is the primary means of implementing a comprehensive plan and future zone changes must be in agreement with the plan. Zoning should also be used to further break down general plan designations, such as "residential" where there is a need to do so.

It is apparent that most of the land within the city is unplatted and several of the rural tracts are unimproved. Though this land may become available for urban uses at some time in the future, most owners do not foresee development at this time. By nature, Lexington is a very small rural town where many residents own tracts allowing them to raise some livestock, horses, or practice more intensive agricultural enterprises such as worm farming and gardening.

The city is not undergoing great development pressures and most residents do not wish to change the nature of the town. In November, 1977, community voters resoundingly defeated a ballot question that would have directed the city to issue \$225,000 in general obligation bonds for construction of a sewer system and treatment plant. The vote was 112 opposed and 33 in favor with 83 percent of the registered voters casting ballots. This action, responses to the community survey, and residents' views expressed at recent public hearings, indicate the community generally wants to keep the city as it is.

The city council adopted subdivision, zoning, and mobile home park ordinances on June 5, 1979. These ordinances included recent changes in legal requirements and established criteria for issuing discretionary permits.

The procedure for revising the urban growth boundary and for making other changes is described in Appendix E, the Plan Ordinance and the Growth Mangement Agreement, Appendix F.

Table J-1

CITY OF LEXINGTON

Existing Land Use

				arcels with improvements		rcels without mprovements
Land Use	Total Acres	% of Total Land	Acres	% of Land Use Designation	Acres	% of Land Use Designation
Residential	50	2	38	76	12	24
Commercial	27	14	18	67	9	33
Industrial	3	2	3	100	0	0
Agricultural Rural Tracts	105	54(12)*	51(4)*	52	54(10)*	48
Public Property	10	5				

TOTAL

195

NOTE: All acreages are rounded and do not include street areas.

SOURCE: Land Use Site Survey, ECOAC, Fall, 1976.

^{*()}Number of ownerships land is held in according to tax records.

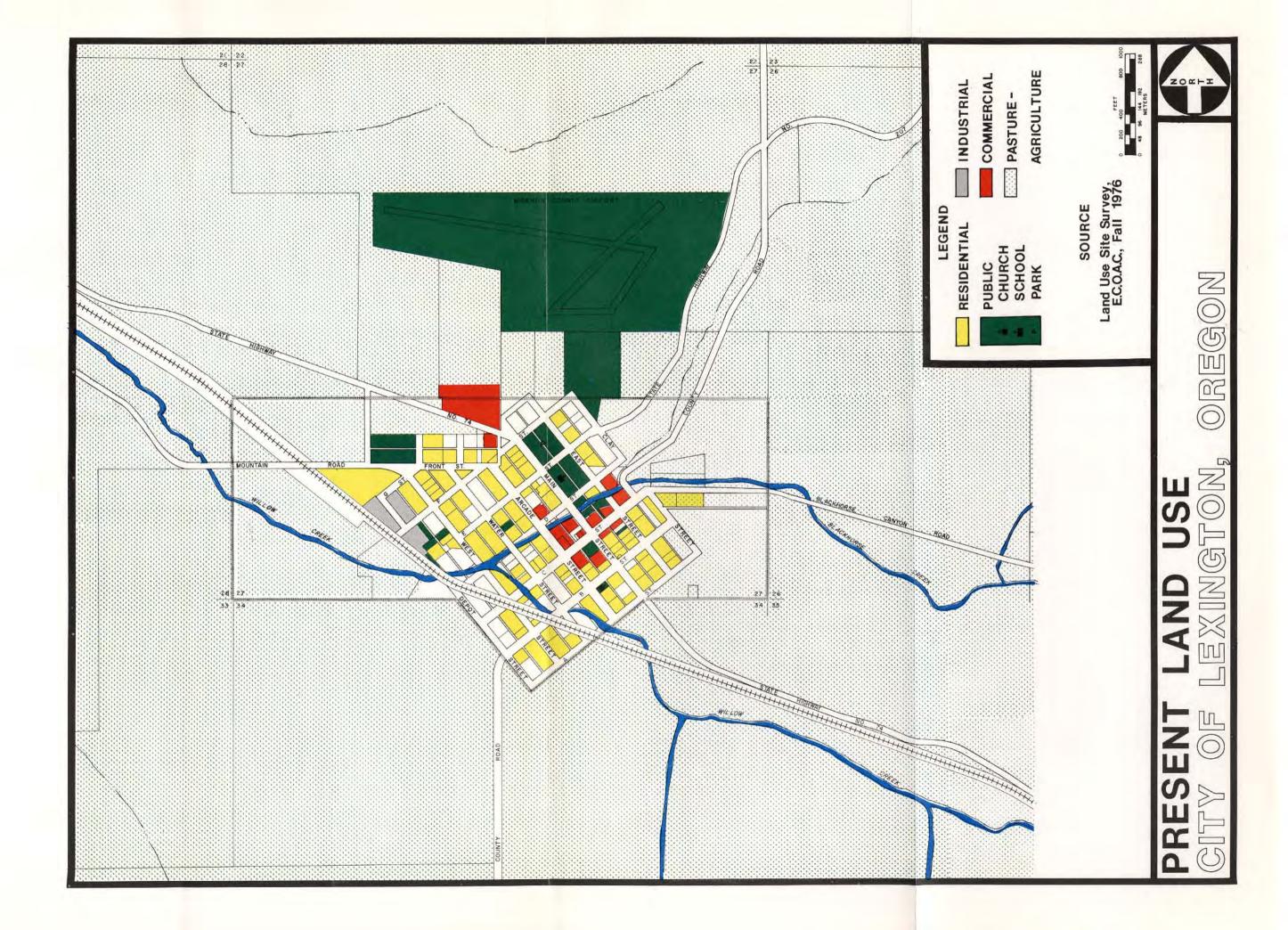


Table J-2

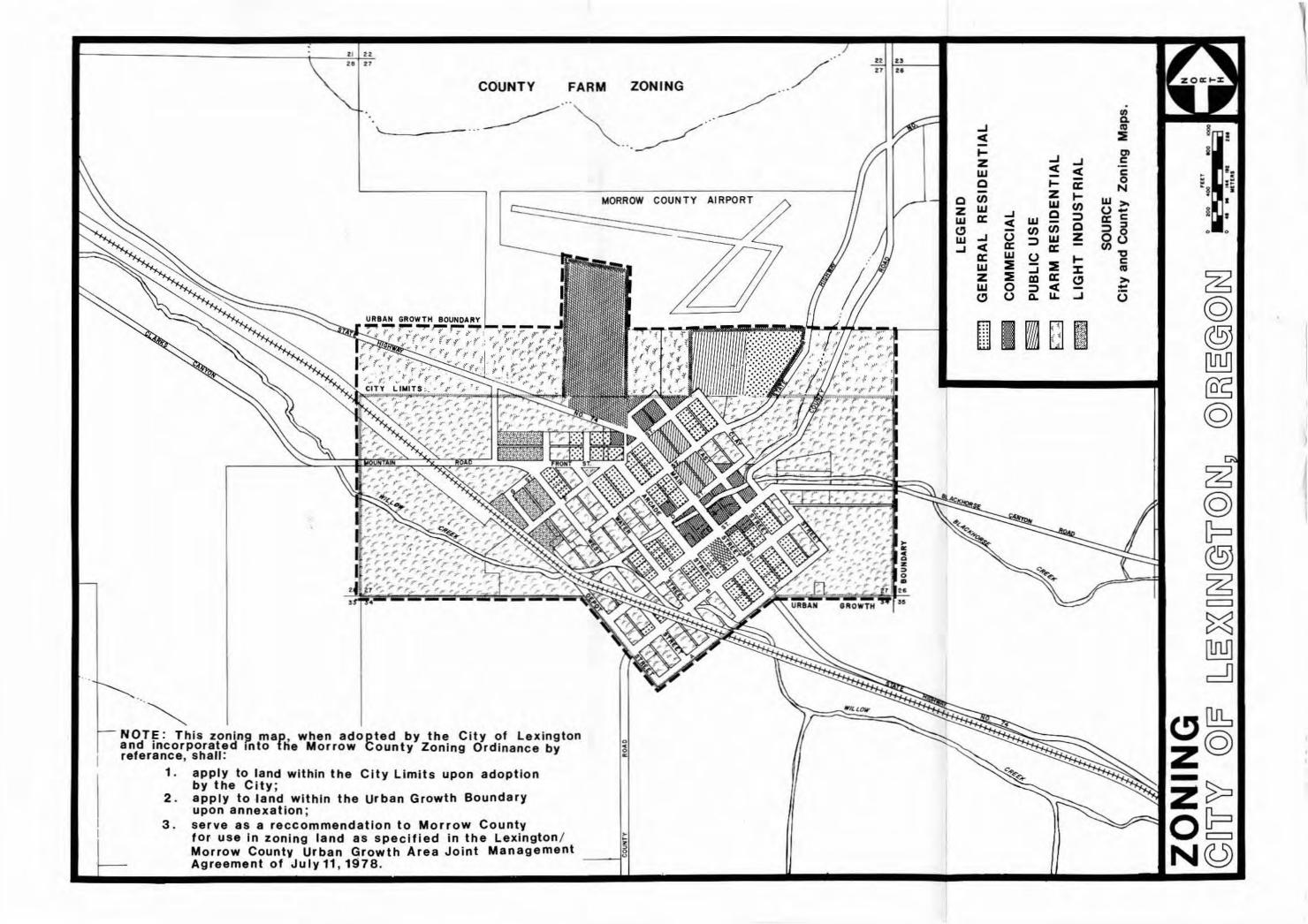
CITY OF LEXINGTON

Existing Zoning Classifications

Zoning Classification	Acres	Percent of Land
Residential	18	9
Commercial	25	13
Industrial	7	4
Farm Residential	145	_74_
TOTAL ACRES	195	100

NOTE: All acreages are rounded and do not include street areas.

SOURCE: Calculations by East Central Oregon Association of Counties from "Lexington Current Zoning Map", November, 1977.



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CONTRIBUTORS

Don Burns, Comprehensive Planner, completed the inventory of resources and initial coordination that provided the basis for Lexington's Comprehensive Plan and Technical Report.

Steve Gardels, Department of Environmental Quality, Pendleton, Oregon, contributed information on air, water, and land quality in Lexington.

Bob Krein, Biologist, Oregon Department of Fish and Wildlife, Heppner, contributed inventory and economic data for Morrow County's Wildlife Resources.

Ron Stillmaker, Civil Engineer, East Central Oregon Association of Counties, Pendleton, Oregon, prepared an evaluation of sewer, water, and transportation facilities in Lexington.

John Tillman, Economist, East Central Oregon Association of Counties, Pendleton, Oregon, prepared resource base, population, income, and employment sections of Chapter VI.

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APPENDICES

Lexington

Community Survey

This survey will take but a few minutes of your time; yet, if answered with a little thought, it can be a great help in planning for your city & future. We hope you'll join us in this effort to make your city a better place to live.

Your answers will be hept completely anonymous. We wish to know only your opinions, not your name or address.

See attached sheet on back for more specific responses to questions.

Please rate the Need to Improve City or Other Local Governmental Services

Don't Know

Some Need

13 2

6

1 11

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10	3	1		STREETS AND ROADS LUSIDE THE CITY LIMITS, INCLUDING MAINTENANCE
7	5	4	2	STREETS AND ROADS OUTSIDE THE CITY LIMITS, INCLUDING MAINTENANCE
9	4	5		STREET LIGHTS
4	6	8	2	SIDEWALKS AND CURBS
5	4	8	1	STREET CLEANING
11			1	PARKING AVAILABILITY
1				WATER SUPFLY
_	_			Do you have 14 city water, 2 a well?
2		6	2	SEWAGE DISPOSAL
-		7	-	Do you have city sewer; 14 ceptic tank? STORM WATER DRAINAGE (SECRM SEWERS & CULVERTS)
6	3	7	4	GARDAGE CCLLECTION
5	1	1	2	OPERATION OF CITY GOVERNMENT
5		4	6	LIBRARY FACILITIES
5	1	4	2	CITY PARKS AND FIGNIC AREAS
1				PUBLIC MEETING PLACES & RECREATION FACILITIES
5	4	4	2	FOR CHILDREN
2	8	5	2	PUBLIC MEETING PLACES & RECREATION FACILITIES FOR TEENAGERS
8	5	1	2	PUBLIC MEETING PLACES & RECREATION FACILITIES
-	-	-	-	FOR ADULTS PUBLIC HEETING PLACES & RECREATION FACILITIES
5	4		2	FOR SENIOR CITIZENS
13	7			FIRE PROTECTION (FIRE DEPARTMENT)
2	7	10		LAW ENFORCMENT (POLICE DEPARTMENT): SPEED & TRAFFIC CONTROL
				LAW ENFORCMENT (POLICE DEPARTMENT): ALL OTHER
5	3	6		ACTIVITIES
4	_	14	1	DOG CONTROL
2	1		3	LITTER CONTROL
2	-	10		JUMOED CAR REMOVAL
3	_1	4	4	NUISANCE ORDINANCE ENFORCMENT
3	1	3	3	THE school district increase services
1				(costs)? 9 hold present levels? 4 de- crease services (costs)?
8	1	1	2	MEDICAL AND HEALTH FACILITYES

27.	HOW BADLY DO WE NEED NEW INDUSTRY AND THE NEW JOBS IT BRINGS? 2 a great deal 3 quite a bit 8 not such 3 none don't know
28.	HOW BADLY DO WE NEED NEW HON-INDUSTRIAL EMPLOYMENT OPPORTUNITIES (SERVICES, RETAIL TRADE, ETC.)? 2 a great deal 5 quite a bit 8 not much none 2 don't know
29.	PLEASE DESCRIBE YOUR LIVING QUARTERS: home apartment duplex mobile home other 20 owner 13 7
30.	HOW MUCH CHOICE OF HOUSING IS THERE FOR NEW RESIDENTS? quite u lot moderate 4 little 15 almost no choice don't know
31.	WHAT KIND OF HOUSING IS MOST NEEDED IN TOWN? (CHECK ALL THAT APPLY) 14 homes to buy under \$20,000 1 homes to buy from \$20,000 to \$30,000 12 homes to rent 2 duplexes 12 mobile homes 1 don't know
32.	SHOULD THE CITY ACQUIRE MORE LAND FOR PARKS AND RECREATION FACILITIES? no yes If yes, WHAT KIND OF PARKS OR FACILITIES, AND WHERE SHOULD THEY BE? Type Indicate Desired Location 1 large parks 2 neighborhood parks athletic fields tot lots senior citizen centers 3 recreation centers 1 other (specify)
33.	IN WHAT CITY DO YOU BUY MOST OF THE FOLLOWING: Lemington Meppher Hermiston Pendleton Other clothes
34.	HOW MANY YEARS HAVE YOU LIVED IN OR REAR THE CITY WHERE YOU NOW RESIDE? 2 less than 2 years 5 2-5 years 3 6-10 years 4 11-20 years 8 over 20 years
35.	HOW MANY YEARS DO YOU PLAN TO REMAIN IN THE IMMEDIATE AREA? less than 1 year1 1-2 years 3-5 years 6-10 years 19 indefinitely
36.	IF YOU MOVED TO YOUR PRESENT AREA OF RESIDENCE IN THE LAST 5 YEARS, WHY DID YOU COME? Describe:
37,	HOW MARY PROPER AN ACCURATION SAID, THEN AND THE SAID OF SAID

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WOULD YOU SUPI	PORT ADDITIONAL	CITY EXPENS	DITURES FO	R THE FO	LLCWING	SERVICES OF.	
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	garbage pick-up mobile library other (specify)		10° 800-100		1	PHARMAN AND AND AND AND AND AND AND AND AND A	
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. 1	Less than \$1.	51-\$2	\$2-\$3	\$3-\$4	\$4+ 15	necessary	
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1	ictual cost pl	Lus \$25.	plus \$50.	plu	s \$100.		
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sewer	_7_ _8_	3	2		2 .		
	and something calls						
	minimum as at p	prosent; 1		2 \$	2 .	2 . 196.50 016	helauce
INDICATE THE	MAXINUM MONTHLY						SER/ICE.
	an \$3.00					Account to the control of	

47c.	IF THE TOWN OF LEXINGTON COULD OBTAIN A GRANT TO COVER MEARLY ALL THE COST OF A SEWER SYSTEM, DO YOU BELIEVE IT WOULD BE DESIRABLE TO CONSTRUCT A SEWER SYSTEM?
	15 yes 3 no 2 undecided
48.	IF NEEDED, WHAT ARE THE PREFERRED METHODS OF PAYING FOR MAJOR WATER AND SEWERAGE SERVICE IMPROVEMENTS? INDICATE PREFERENCES \$ (1 high - 3 low) FOR JACK SERVICE. water takes monthly rates hook-up fees hook-up fees
49.	RECOGNIZING THAT SMALLER ACREAGES MAY CREATE MORE DEMAND FOR LOCAL SERVICES (WATER SEWER, SCHOOL, ETC.) WHAT DO YOU FEEL IS THE MINEMUM DESIRABLE ACREAGE FOR LAND PARCELING CUTSIDE THE CITY? 12 1-5 acres 2 5-20 acres 20 acres or more
50.	DO YOU FEEL THAT 6 LEXIMOTON, 1 THE COUNTY, 4 BIRM SHOULD CONSIDER COLLECTING A DEVELOPMENT FEE AT THE TIME LAND IS SUBDIVIDED TO HELP COVER THE INCREASED COST OF SERVICES WHICH HAY RESULT FROM THE SUBDIVIDING? 8 no If yes, indicate for which services 6 water 6 sewer 5 street 1 school 2 police 1 other (specify)
51.	IS THERE A NEED TO PROVIDE ADDITIONAL CONTROL OVER HORSES, CATTLE, ETC. IN TOWN? 14 no 6 yes
52.	INDICATE AREAS WHERE CITY WATER AND SEWERAGE SERVICES SHOULD BE ANTICIPATED. 15 already platted areas 10 unsubdivided areas in city limits 3 outside city limits in what area (see question no. 44)
53.	LIST STREET IMPROVEMENT WORK NEEDED (DESIGNATE PRIORITY NO. 1, 2, 3, etc.) Name of street Patching holes Grade & gravel Paving
54.	ARE THERE ANY BUILDINGS IN THE TOWN OF LEXINGTON WHICH YOU CONSIDER TO BE OF HISTORICAL EMPORTANCE WHICH SHOULD BE PRESERVED AS LANDMAKES! 12 no · 4 yes (specify)
55.	WOULD YOU SUPPORT CITY EXPENDITURES FOR THE FOLLOWING: no yes, If yes, indicate support level minimum moderate substantial old school playground improvement 10 4 4 2 combined city hall/fire hall 6 6 1 4 2 city hall building only 8 5 6 6 ball field 10 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1
56.	SHOULD THERE BE ANY CHARGE IN THE PRESENT 30 MFH SPEED LIMIT THROUGH LEXINGTON? 11no 5 yes, as follows
57.	WOULD YOU SUPPORT IMPROVEMENTS IN STATE HIGHWAYS AS POLLOWS: 5 Lower to Expense 8 Statem to Expense 10 to a second will low Creek junction 10 to second to E-80 vin the "Willow Creek junction" 10 to second to E-80 vin the "Willow Creek junction" 10 to second to E-80 vin the "Willow Creek junction" 10 to second to E-80 vin the "Willow Creek junction" 10 to second to E-80 vin the "Willow Creek junction" 10 to second to E-80 vin the Willow Creek junction to E-80 vin the Willow Creek junction to E-80 vin the Willow Creek junction to E-80 vin the William Creek ju
53.	Willow Creek junction 10 to indicate to I-80 vie (Fy M/(Duckersmenk) WOULD YOU SUPPORT BUS SERVICE IF PRO IDED: 12 no 7 yes if yes, anticipated trips per year

SPECIFIC RESPONSES

- 26. Teach better reading and basics 2
- 32. A.) Where there are trees, grass, space especially by the creek 1 B.) Fix what we have 1
- 36. A.) Employment 4
 - B.) Interested in rentals 1
 - C.) Right opportunity at the right time 1
 - D.) Wanted to move 1
 - E.) Like the country 1
 - F.) Improve the quality of our environment 1
- 38. Grain, Machinery, Petroleum 1
- 44. A.) Towards Ione 2
- 45. A.) T.V. cable 1
- 47c. No Government interference 2

	Wate	r		S	ewer		
Preference	1 1	2	3	Preference	1	2	3
Tax	5	1	6	Tax	8	1	5
Mo. Rates	11	3	1	Mo. Rates	9	3	3
Hook-up	1	7	4	Hook-up	1	8	3

- 50. Fire protection 1
- 52. A.) Airport hill owned by city 1
 B.) In areas of anticipated growth 1

53.	Street	Patch Holes	Grade & Gravel	Paving
	Arcade Street Bridge	2		
	A Street	1	1	
	West Street			
	Blackhorse Bridge	1		
	H Street			1
	Water Street		1	

- 54. A.) Lodge Hall 2 B.) School House 4
- 56. A.) Enforce the current speed 3
 - B.) Slower to reduce noise
 - C.) 25 or 20 mph 2
 - D.) Better posting of current speed 1
- 58. A.) 50 trips 1
 - B.) 30 trips 1
 - C.) 2 trips 4
 - D.) 6 trips 1

Appendix B

SECOND DRAFT

PRELIMINARY POPULATION AND LABOR FORCE PROJECTIONS

MORROW AND UMATILLA COUNTIES

Prepared by:

EAST CENTRAL OREGON ASSOCIATION OF COUNTIES

October, 1977

III. HOW THESE PROJECTIONS WERE DERIVED

The basic procedure for developing these figures is fairly straight-forward although it requires some complex subroutines and a computer. A simplified outline of the procedure follows. For a more detailed explanation of all the steps, assumptions and base data involved, please contact the economic planning staff of ECOAC before next summer, or await publication of the final report for inclusion in the Morrow and Umatilla Comprehensive Plans.

1. Estimation of Natural Increase

The male and female resident populations of each County in 1970 were divided into five-year age groups known as "cohorts". Age- and sex-specific fertility and mortality rates were applied to these cohorts, yielding the number of births and deaths for the interval 1970-75.

(The survival and fertility rates were based on county and state records. The computer program was "calibrated" by comparing the 1975 population derived this way with officially certified data.) This procedure was repeated for the intervals 1975-80 and 1980-85, given the resident population developed by the computer for the beginning year.

This process is known as the "cohort-survival technique" and is the basis for all economic model population projections conducted in the Pacific Northwest in recent years. It yields the number of people expected to reside in an area if there were no net in- or out-migration during the forecast interval. Since its development at the University of Oregon in the early 1960's, it has been refined and applied to a wide range of economic and political units by a variety of forecasting firms and agencies with notable success.

2. Estimate of Migration

There are two commonly practiced means of estimating the number of people moving into or out of an area. One of these is the so-called "historical trend" method, which simply increases or decreases the population of an area by a previously observed or reasonable rate of in- or out-migration. It is most appropriate when dealing with large, stable economic units, and requires constant monitoring and updates. Portland State University uses this technique to supply the State of Oregon with projections for cities, counties, and the state, referring whenever possible to actual census data in order to keep track of current trends.

The second method of estimating migration is an economic modeling procedure based on labor force projections independent of the computer program itself. This technique assumes that the main factor controlling migration is job availability, and that people move from areas where jobs are scarce to places where they are more plentiful. This model is most appropriate to a region experiencing rapid economic growth, such as ours today.

This technique of population projection requires the forecaster to estimate future growth in each employment category such as construction, manufacturing, agriculture, etc. This procedure yields future total labor force figures. Local labor force participation rates are applied to the resident population derived in the first half of the program to yield the resident labor force. Subtracting the resident labor force from the expected total labor force demand gives an estimate of how many jobs are available to non-residents.

3. Estimation of Labor Force in 1980 and 1985

In order to estimate future labor force figures for Morrow and Umatilla Counties, it was necessary to make assumptions about general economic growth in this area and about specific new projects planned here. This entailed an analysis of each employment category, based on Oregon State Employment Division records, studies conducted for Alumax and Portland General Electric and other studies by various government agencies and private firms.

Almost as important as whether these projects are undertaken is the consideration of when construction on them begins. Attention should therefore be paid to the dates assumed for onset of construction and operation of each of the proposed new facilities. (See list of assumptions below.) The total for 1980 would be substantially less if construction were to start on Alumax, say in 1979 rather than 1978. Another important consideration is the percent of county labor force living outside the county. Estimates of this figure were based on studies conducted for Alumax Corporation and Portland General Electric.

4. Summation of Estimated Resident and Migratory Populations

The final step in the program adds the expected resident population due to natural increase with the expected in- or out migration due to labor force demand. (If there are fewer jobs than residents, we expect net out-migration.) This total gives the resident population for the next forecast interval.

Economic Assumptions

The assumptions listed here are not all-inclusive. A more detailed accounting would include projected labor force participation rates and a sector-by sector breakdown of projected employment. The final report will contain this information. Until then, any questions or suggestions will be welcomed and answered promptly whenever possible.

Due to the high level of uncertainty concerning future projections in this county and neighboring counties, it was necessary to base employment estimates on three different development scenarios. The specific assumptions made about new projects and growth in established categories for each separate scenario follow:

Scenario A

- Agriculture Continued growth in new acreage under irrigation at or near 1970-75 rates until irrigable land (U.S. Bureau of Reclamation data) is consumed. No housing pressure on irrigable land. Agricultural productivity high (no shortages of petroleum-based products); employment growing proportional to new acreage. No shortage of water.
- Food Processing and Light Industry Continued growth in food processing and light industry at or near 1970-75 levels.
- 3. Energy-generation Facilities and Construction No new electrical-generating plants in area after completion of Carty facility. Construction of second powerhouse at McNary Dam and of I-82 Freeway in Umatilla County to begin in 1980. (Freeway may not be constructed until 1983. Presently uncertain).
- 4. Other Sectors Continuation of trends in other sectors of economy at or near 1970-75 rates, including forestry and wood products.
- .5. Unemployment See Appendix A
- 6. Heavy Industry No new heavy industry in area during forecast interval.

 Alumax aluminum reduction plant not built, nor Pebble Springs Nuclear Plant
 (as in 3).

Scenario B

- 1. Same as A.
- 2. Same as A.
- 3. In addition to A, construction of two nuclear reactors at Pebble Springs site in Gilliam County beginning in second quarter of 1978. Construction of second plant to begin in 1982. (See appendix C)
- 4. Same as A.
- 5. Differing as shown in Appendix A.
- Construction of Alumax plant to begin in second quarter of 1978. New road north from Ione constructed after 1980.

Scenario C *

- 1: Same as A and B.
- 2. Same as A and B.
- 3. Assumes continued construction of all energy-generating facilities currently projected by Portland General Electric in Morrow and Gilliam Counties and by Pacific Power and Light at Roosevelt, Washington. (See Appendix C)
- 4. Same as A and B.

- 5. Differing as in Appendix A.
- 6. Same as B, plus industrial expansion at Ports of Morrow and Umatilla, Hinkle, and in Pendleton and Pilot Rock area throughout forecast period at peak (early 1980's) level.

*.NOTE: Scenerio B and C are identical for 1980.

We would like to emphasize that these assumptions were designed to yield the highest reasonable result in each case. The generally high trend of the resulting figures may be seen by consulting Table 1 and 2 which reports out findings and compares them with recent projections of other agencies and companies. These assumptions and others regarding commuting, working spouces, and incidence of singleness among in-migrators were tested on this first computer run. Alternations that seem called for in these or any other parameters affecting the final total can be made before the second run in nine months or any time before the final report is issued next year.

Special Population Assumptions

- Construction population defined as temporary (i.e., specifically associated with major new physical plant or Federal Construction and not hired locally) computed separately from main program due to different age- and sexstructure.
- Non-employment motivated in-migration (i.e., non-local retirees and recreation motivated movers) calculated and distributed separately from main program. (Primarily Walla Walla Valley and Blue Mountains Enumeration Districts).

CITY OF HEPPNER POPULATION FORECASTS TO 1995

Various methods of population projection exist, allowing the forecasting firm or agency to choose the most appropriate technique for its own conditions. For instance, if the population of Heppner were extrapolated at its general 1970-75 five-year percentage growth rate of 11.9 percent, its population in 1980 would be 1,790 and 2,000 in 1985, without annual compounding. If the population increase is extrapolated at its strictly numerical gain of 170 for 1970-75, the figures for 1980 would be 1,770 and 1,940 in 1985. Neither of these procedures takes into account physical or economic limitations on growth.

Under contract to Morrow County to prepare the economic element of its state-mandated comprehensive plan, the staff of the East Central Oregon Association of Counties has developed a computer program to project future county and municipal populations as a basis for other economic forecasting. The program is based on county and enumeration district employment data and cross-checked with state and federal census data and other economic studies. It does take into account physical and economic constraints on growth.

Some of the physical limits include the floodplain location and steepness of Willow Creek Canyon and the location of good agricultural land near the city limits. The economic constraints are less clearcut, since growth in the North End of Morrow County could mean increased government, commercial and service employment in Heppner, as county seat and potential trade center. On the other hand, this growth could be offset by a possible decline in wood products employment.

Each of these assumed strengths and weaknesses of Heppner were considered in projecting future employment. The figures below are all the medians of ranges of possible future population, based on favorable or unfavorable alternatives within each general scenario. (For an outline of the assumptions for each scenario, see the attached report on county employment.)

We hope these various methods of population projection will be of some use to city officials in planning extentions of services and housing.

John Tillman Staff Demographer

MORROW COUNTY

City Population Projections, 1970-2000

(Revised 10.13.77)

TABLE 2

	4		d Oregon		ECO	AC Estima	ates	
		1970	1975	1980	1985	1990	1995	2000
County	A B C	4,470 	5,190 	7,290 9,910 	8,480 10,550 10,650	9,550 10,610 11,670	10,050 11,030 12,480	10,590 11,590 13,300
Boardman	A B C	190 	700 	1,280 2,620	1,710 2,590 2,600	2,080 2,500 2,930	2,230 2,670 3,180	2,370 2,900 3,410
Heppner	A B C	1,430	1,600	1,770 1,800	1,790 1,840 1,850	1,810 1,870 1,890	1,830 1,890 1,920	1,850 1,900 1,950
Ione	A B C	360	410	460 500 	510 600 600	560 630 680	590 650 750	600 660 780
Irrigon	A B C	260 	370 	620 1,140 	840 1,400 1,440	1,030 1,450 1,600	1,100 1,500 1,750	1,250 1,600 1,970
Lexington	A B C	230	250 	270 290 	290 330 330	310 350 370	350 360 390	360 370 400
Rura1	A B C	2,000	1,860	2,870* 3,560**	3,340 ⁺ 3,790 3,830	3,760 3,810 4,200	3,950 3,960 4,490	4,160 4,160 4,790

^{*} Trended at 1975-77 rate of increase in rural residential and adjusted by 1970-75 decreases in farmstead population.

^{**} Trended at 1975-77 rate without adjustment.

⁺ Extrapolated at general county rate. This distribution is entirely suppositional. Rural share of county growth may reasonably be expected to decrease with time, therefore, city totals may be greater than shown after 1985, especially for Boardman and Irrigon.

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MORROW COUNTY POPULATION PROJECTIONS

TABLE 1

Year

Source	1975	1980	1985	1990	1995	2000
Portland State University* February, 1976	5,200	5,100	5,400	5,600	5,900	6,000
Pacific Northwest Bell** April, 1976	5,200	5,200	5,300	5,400		-50
Bonneville Power Administration*** December, 1976	5,175	7,175	8,475	9,475	10,100	141
ECOAC, Scenario A August, 1977		7,285	8,477	9,550	10,053	10,593
ECOAC, Scenario B August, 1977		9,907	10,550	10,608 [±]	11,027	11,587
ECOAC, Scenario C August, 1977		9,907	10,650	11,674	. 12,482	13,297

- * Portland State University recognizes that its figures are too low and is in the process of updating them on the basis of present knowledge, such as city housing surveys. The rapid growth and changing economic composition of Morrow County and its labor force render the usual Portland State University "historical trend" technique inappropriate, though it has served other parts of the state well. The latest updated county figure (1976) is 5,350, which is still lower than the current population, according to our model.
- Pacific Northwest Bell also admits the inadequacy of its figures for planning purposes, in as much as it is developed on a household basis, and therefore, inappropriate for a rapidly changing area with a significant construction population.
- Bonneville Power Administration is the first agency to conduct forecasts for Morrow County taking recent and expected growth fully into account. Its figures differ from mine mostly in the treatment of the construction force and assumptions about commuting ("household" vs. "establishment" data).
 - + This small increase is due to assumption of no new energy-facility construction after 1987, and consequent departure of previously (1975-1987) semi-permanent construction labor force. Scenario C assumes fairly stable level of this force throughout the forecast period. (See list of assumptions.) This further assumes successful coordination of construction projects among the major contractors.

Review and Application of the City Projections

After review by the counties and cities during the next nine months, the computer program for the counties will be rerun using the hopefully more reliable information about new projects in the area available then. If the results differ significantly from those contained in this preliminary report, it will be necessary to run the distribution program again as well. At that time all the comments from local elected officals and planners can be considered in developing a distribution model.

An important point for municipal officials and planners to consider in reviewing and using these figures is that a certain amount of the growth shown in the Rural categories may reasonably be transferred to the cities. Due to the inability to foresee future annexations and to the present uncertainty about urban growth boundaries in the area, it was deemed wiser not to attach expected population growth in presently rural but urbanizing enumeration districts to neighboring cities. Such a procedure would have involved concocting an arbitrary annexation schedule for each larger city.

In general then, the Cities of Boardman, Irrigon, Hermiston, Stanfield, Umatilla, Milton-Freewater, Pendleton, and Pilot Rock may arguably regard the listed figures as bases for each forecast year. Should city officials or interested citizens wish to know an approximation of how many more people would likely be residing within a city boundary in a given forecast year than shown on the chart, all they need do is provide ECOAC with a map displaying projected annexations up to that year An estimate of additional population to be transferred from an urbanizable rural area to the city could then be made.

For the other cities the listed figures indicate how many people would be likely to want to live there according to the distribution model and under each economic development scenario, and if the present residents were willing to bond themselves or find other ways and means to remove those physical limitations on growth subject to remedy. For instance, scenarios B and C assume that Echo builds a new water system and that Ione benefits from the construction of the proposed new north-south road in western Morrow County, and that both communities decide to encourage expansion.

City officials and interested citizens are encouraged to comment and request further information on this series of projections during the next nine months. The city figures will probably not be included in the county comprehensive plans, but it is still advisable for officials to review them to promote greater reliability for planning purposes.

APPENDIX A: CIVILIAN LABOR FORCE PROJECTIONS

Morrow and Umatilla Counties, 1975 - 2000

COUNTY/SCENARIO	1975	1980	1985	1990	1995	2000
UMATILLA - A Civilian Labor Force* Total Employment Unemployed Percent	21,470	25,600	28,220	·30,160	32,010	33,900
	19,950	23,940	26,530	28,410	30,250	32,200
	1,520	1,660	1,690	1,750	1,760	1,700
	7.1	6.5	6.0	5.8	5.3	5.0
UMATILLA - B Civilian Labor Force Total Employment Unemployed Percent	21,470	27,700	30,030	32,150	34,820	36,540
	19,950	25,980	28,290	30,380	32,970	34,710
	1,520	1,720	1,740	1,770	1,850	1,830
	7.1	6.2	5.8	5.5	5.3	5.0
UMATILLA - C Civilian Labor Force Total Employment Unemployed Percent	21,470	27,700	31,800	33,990	36,430	39,200
	19,950	25,930	30,050	32,190	34,610	37,320
	1,520	1,728	1,750	1,800	1,820	1,880
	7.1	6.2	5.5	5.3	5.0	4.8
MORROW - A Civilian Labor Force Total Employment Unemployed Percent	3,310	4,410	5,080	5,240	5,400	5,610
	3,130	4,140	4,790	4,950	5,110	5,330
	180	270	290	290	290	280
	5.4	6.2	5.8	5.5	5.3	5.0
MORROW - B Civilian Labor Force Total Employment Unemployed Percent	3,310	5,760	6,050	6,100	6,290	6,570
	3,130	5,410	5,720	5,760	5,960	6,240
	180	350	330	340	330	330
	5.4	6.0	5.5	5.5	5.3	5.0
MORROW - C Civilian Labor Force Total Employment Unemployed Percent	3,310	5,760	6,090	6,610	7,070	7,530
	3,130	5,410	5,760	6,260	6,723	7,170
	180	350	330	350	350	360
	5.4	6.0	5.5	5.3	5.0	4.8

^{*} By place of residence consistent with present Oregon Employment Division Benchmarks. B-10

Type of		1978			1979			1980			1985			1990			1995	
Employment** Total Uma+ Mor Total Uma+	Total	Uma+	Mor	Total	Uma+	Mor	Mor Total	Uma+	Mor	Mor Total	Uma+	Mor	Mor Total	Uma+	Mor	Mor Total	Uma+	Mor
Construction	820	820 680 90 1230 1000	90	1230	1000	150	150 1130	933	130	0	0	0	0	0	0	0	0	0
Operational	0	0 0 0 80 70	0	80	70	10	620	250	40	800	089	100	800	680	100	800	089	100
Secondary ++	240	240 170 30 480 370	30	480	370	09	290	470	09	400	250	80	009	430	90	90 1000	780	120
TOTALS 1260 · 850 120 1870 1440	1260	. 850	120	1870	1440	220	220 2340 1920	1920	240	240 1200	930	180	1400	180 1400 1110 190 1800	190	1800	1460	220

Construction assumed to begin in second quarter of 1978.

Construction and operational employees were computed by taking the yearly average of quarterly labor projections tabulated by CH2M Hill from Alumax information and reported in Portland General Electric's Housing and Community Facility Requirements by Skidmore, Owings, and Merrill, May, 1975.

Distribution to counties based on gravity flow model and judgement of CH₂M Hill staff in Alumax Environmental Impact Statement, May, 1976.

derived, this means .3 secondary per construction worker and .4 per operational worker in 1980. Figures used for 1985, 1990, and 1995 respectively were .5, .75, and 1.25 additional employee for each basic operational worker. Numbers of secondary workers thus derived were distributed to counties on the basis of the CH₂M Hill Secondary employment was computed by applying multipliers to total basic employment of 2.0 for construction workers and 2.25 for operational. This means I support job per construction and 1.25 per operational job. time lags, as discussed in the text of this report, and in the Alumax EIS from which these multipliers were gravity flow model and local judgement as to the pattern of future growth in commercial and service

APPENDIX C:

Portland General Electric, Alumax Pacific Corporation,

and Federal Construction Projects

Morrow, Gilliam, and Umatilla Counties

1975 - 1995 Yearly Average Employment

Project	1975	1980	1985	1990	1995
Portland General Electric	20	1,350	1,600	1,700	1,870
Carty	20	330	100	100	100
Construction Operational	(20)	(230) (100)	(100)	(100)	(100)
Pebble Springs I *	0	1,020	240	170	170
Construction Operational	==	(1,020)	(90) (150)	(170)	(170)
Pebble Springs II +	0	0	1,260	170	170
Construction Operational			(1,260)	(170)	(170)
Other (post '85) ++	.0	0	0	1,550	1,720
Construction Operational				(1,400) (150)	(1,400) (320)
Alumax *	0	1,750	800	800	800
Construction Operational		(1,-130) (620)	(800)	(800)	(800)
Federal	0	500	40	40	40
I-82 **	0	250	20	20	20
Construction		(250)			
maintenance & patrol			(20)	(20)	(20)
McNary Powerhouse **	0	250	20	20	20
Construction Operational	==	(250)	(20)	(20)	(20)

^{*} Assuming construction to begin, second quarter, 1978.

^{**} Assuming construction to begin, second quarter, 1980.

⁺ Assuming construction to begin, second quarter, 1982.

⁺⁺ Assuming construction to begin on third and fourth nuclear plants in area, second quarters of 1986 and 1990.

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CHAIRMAN Judge Andrew F. Leckie

VICE CHAIRMAN Commissioner Barbara Lynch

SECRETARY-TREASURER Mayor Lloyd A. Waid

EXECUTIVE DIRECTOR Wayne L. Schwandt

Appendix C



Phone (503) 276-6732

Re: Planning Programs of Jurisdictions in Morrow and Umatilla Counties/ Planning Coordination Process

Dear Sir:

This is to introduce you and your agency to the jurisdictions of Morrow and Umatilla Counties, to inform you of their comprehensive planning programs and of their interest in participating in your agency's planning program, and to request your cooperation and assistance in the planning coordination process.

THE JURISDICTIONS

All jurisdictions in Morrow and Umatilla Counties are participating in the planning coordination process. These jurisdictions are general purpose units of local government and the Confederated Tribes of the Umatilla Indian Reservation.

Morrow County	Umatilla County	*
Boardman	Adams	Pilot Rock
Heppner	Athena	Stanfield
Ione	Echo	Ukiah
Irrigon	Helix	Umatilla
Lexington	Hermiston	Weston
Morrow County	Milton-Freewater Pendleton	Confederated Tribes of the Umatilla Indian Reservation Umatilla County

Voluntary association of the following COUNTIES and Cities: GILLIAM: Arlington, Condon, Lonerock; GRANT: Canyon City, Tyville, Granite, John Day, Long Creek, Monument, Mt. Vernon, Prairie City, Seneca; MORROW: Boardman, Heppner, Ione, Irrigon, Xington; UMATILLA: Adams, Athena, Echo, Helix, Hermiston, Milton-Freewater, Pendleton, Pilot Rock, Stanfield, Ukiah, Umatilla, Stan, WHEELER, Facil Michael, Canan

PLANNING PROGRAMS OF THE JURISDICTIONS

Each city and county in Oregon is required by state law to:

"(a) Prepare and adopt comprehensive plans consistent with statewide planning goals and guidelines; and

(b) Enact zoning, subdivision and other ordinances or regulations to implement their comprehensive plans."

ORS 197.175

Each jurisdiction in Morrow and Umatilla Counties is presently in the process of developing or revising its comprehensive plan to be consistent with Statewide Planning Goals and Guidelines.

Each jurisdiction will be requesting assistance from your agency in any and possibly all of the following planning phases:

- Provision of available data, reports, maps, and/or other information on the jurisdiction and environs, or notification of surveys or other data acquisition activities in process (see Attachment A Comprehensive Plan Data Requirements).
- 2. Review of the jurisdiction's base data and projections.
- 3. Review of the jurisdiction's draft plan.
- 4. Review of the jurisdiction's adopted Comprehensive Plan prior to Acknowledgement of Compliance with Oregon's Statewide Planning Goals by Oregon's Land Conservation and Development Commission.

Specific timeframes for your agency's involvement in the above functions are specified in each jurisdiction's Compliance Schedule, which the Oregon Land Conservation and Development Commission has already provided you for your review and comment.

AGENCY INVOLVEMENT

Opportunity for agency involvement in the planning programs of these cities and counties is especially important in light of Statewide Planning Goal #2, which requires that:

"City, county, state and federal agency and special district plans and actions related to land use shall be consistent with the comprehensive plans of cities and counties and regional plans adopted under ORS 197.705 through 197.795.

Each plan and related implementation measure shall be coordinated with the plans of affected governmental units.

Opportunities shall be provided for review and comment by citizens and affected governmental units during preparation, review and revision of plans and implementation ordinances.

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AFFECTED GOVERNMENTAL UNITS -- are those local governments, state and federal agencies and special districts which have programs, land ownerships or responsibilities within the area included in the plan."

(Statewide Planning Goals and Guidelines, adopted by the Oregon Land Conservation and Development Commission pursuant to ORS 197.040 on December 27, 1974, operative January 1, 1975.)

State agencies are required by law to:

"... carry out their planning duties, powers and responsibilities and take actions that are authorized by law with respect to programs affecting land use in accordance with statewide planning goals and guidelines . . . "

ORS 197.180

Since so many federal programs are implemented and managed by state agencies, effective coordination between local jurisdictions and state and federal agencies is essential.

The Oregon Land Conservation and Development Commission is required by statute to:

"Review comprehensive plans for conformance with statewide planning goals (and) . . .

. . . coordinate planning efforts of state agencies to assure conformance with statewide planning goals and compatibility with city and county comprehensive plans."

ORS 197.040

COUNTY COORDINATION AND REVIEW

Under Oregon law:

"... each county through its governing body, shall be responsible for coordinating all planning activities affecting land uses within the county, including those of the county, cities, special districts and state agencies, to assure an integrated comprehensive plan for the entire area of the county."

ORS 197.190

Each county governing body is also required by statute to:

"... review all comprehensive plans for land conservation and development within the county, both those adopted and those being prepared. The county governing body shall advise the state agency, city, county or special district preparing the comprehensive plans

January, 1977 Page 4

> whether or not the comprehensive plans are in conformity with the statewide planning goals."

> > ORS 197.255

For the purposes of coordination of planning activities (ORS 197.190) and review of comprehensive plans for compliance with Statewide Planning Goals (ORS 197.255), the Morrow County Court and the Umatilla County Board of Commissioners have retained the East Central Oregon Association of Counties (ECOAC).

I am the lead ECOAC staff person working with the Morrow County Court and the Umatilla County Board of Commissioners providing staff support for their statutory review and coordination functions. My title is Planning Coordinator.

CONTACT PERSONS FOR THE JURISDICTIONS

Attached please find a listing of contact persons for each city, county, and the Confederated Tribes of the Umatilla Indian Reservation (Attachment B - List of Contact Persons and Planning Coordinator). These contact persons have been designated by each jurisdiction for agency coordination. Your agency or organization will be notified of any change in contact personnel.

It is to be noted that, while the Confederated Tribes of the Umatilla Indian Reservation are not obligated to coordinate with state agencies, special districts, and local jurisdictions, the Tribal Development Office has expressed an interest in being involved in the coordination process.

Please insure that a copy of all written communication between your agency and a contact person from a local jurisdiction concerning the land use planning program is sent to the Planning Coordinator.

REQUEST FOR ASSISTANCE AND INVOLVEMENT

Your organization is receiving this letter because it has been identified by at least one jurisdiction in Morrow or Umatilla County either in the jurisdiction's Compliance Schedule which has been adopted by both the jurisdiction's governing body and the Oregon Land Conservation and Development Commission, or by the jurisdiction's contact person.

If your organization is:

- a FEDERAL or STATE AGENCY, please see ATTACHMENT C.
- 2. a SPECIAL DISTRICT, please see ATTACHMENT D.
- a LOCAL AGENCY or ORGAMIZATION having programs, land ownerships, or responsibilities within ONLY ONE JURISDICTION (e.g. the Athena Police Department, the Irrigon Chamber of Commerce), please see ATTACHMENT E.

A number of governmental units, while not coming within the definition of "Affected Governmental Units" in Statewide Planning Goal #2 (i.e. "having programs, land ownerships, or responsibilities within the area included in the plan"), may be impacted by land use decisions of some or all of the jurisdictions in Morrow and Umatilla Counties. Your city, county, and/or state may be one of those governmental units, examples of which are contiguous units (e.g. the State of Washington, Union County, Walla Walla County) and neighboring governmental units (e.g. Echo, Stanfield, Hermiston Umatilla, Irrigon). Because coordination among these units would prove mutually advantageous, your organization might be interested in becoming involved in the planning programs of some or all of the jurisdictions in Morrow and Umatilla Counties, and inviting them to become involved in yours. If so, please notify the contact person for the jurisdiction, and please send the Planning Coordinator a copy of your communication with each contact person you notify.

INVOLVEMENT OF JURISDICTIONS IN INITIATION OF THE PLANNING COORDINATION PROCESS.

The twenty jurisdictions in Morrow and Umatilla Counties are in varying stages of developing or revising their comprehensive plans. Some are preparing to adopt their plans and are ready to submit them for Acknowledgement of Compliance with Statewide Planning Goals. Some are now starting to acquire data and their contact persons may have already contacted your agency. All contact persons have been involved in the preparation of this letter.

In addition, all contact persons have been given the opportunity to attach to this letter any explanation, plan schedule, request for information, or other statement. The following attachments have been submitted:

- 1. Attachment F -- Umatilla County Planning Program
- 2: Attachment G -- Pendleton, Agency Review of Third Draft of Comprehensive Plan.

DEVELOPMENT OF THE PLANNING COORDINATION PROCESS.

This letter, with appropriate enclosures, is being sent to the below listed individuals, who represent jurisdictions, special districts, and local, state, and federal agencies (See Attachment H -- Distribution List). It will be sent to other affected governmental units, as identified.

The jurisdictions of Morrow and Umatilla Counties are looking forward to working with your agency in the development of their comprehensive plans.

An effective land use planning coordination process will prove mutually beneficial to jurisdictions, special districts, and local, state and federal agencies. Please forward to me any recommendations you have for the further development and improvement of the coordination process.

January, 1977 Page 6

I am anxious to explore with you the potential benefits and future development of the planning coordination process, and I very much appreciate your cooperation and assistance.

Sincerely,

Robert J. Beltramo Planning Coordinator

RJB:vp

Enclosures:

Attachment A -- Comprehensive Plan Data Requirements

Attachment B -- List of Contact Persons and Planning Coordinator for Jurisdictions in Morrow and Umatilla Counties

Attachment C -- Requests of Federal and State Agencies

Attachment D -- Requests of Special Districts

Attachment E -- Requests of Local Agencies and Organizations having Programs, Land Ownerships, and Responsibilities within only one jurisdiction

Attachment F -- Umatilla County Planning Program

Attachment G -- Pendleton, Agency Review of Third Draft of Comprehensive Plan

Attachment H -- Distribution List

Attachment I -- Oregon Statewide Planning Goals and Guidelines

ATTACHMENT A

Comprehensive Plan Data Requirements

Provision of available data, reports, maps, and/or other information on each jurisdiction and environs, or notification of surveys or other data acquisition activities in process.

Natural Environment

Geology Topography Soils Mineral and Aggregate Earthquake Faults

Agricultural, Forest Suitability Energy Resources Unique Scientific, Ecological Areas Archaeological Sites

Intrinsic Suitability * Existing Land Use

Socioeconomic Environment

Housing Characteristics

Schools
Police
Fire
Social and Health Services
Parks and Recreation
Transportation Facilities
and Services

Climate Hydrology Flood Plains and Wetlands Vegetation Fish and Wildlife

Landslide/Erosion Potential Septic Tank/Foundation Suitability Scenic Areas Air/Water/Land Quality

Conflicts and Constraints Lands Suitable for Urban Uses

Historic Preservation

Sewer
Water
Storm Drainage
Solid Waste
Electricity and Natural Gas
Communications

Economic Activity and Resource Base
Employment and Population Characteristics
Growth Factors and Constraints

* "The basic proposition employed is that any place is the sum of historical, physical and biological processes, that these are dynamic, that they constitute social values, that each area has an intrinsic suitability for certain land uses and finally, that certain areas lend themselves to multiple coexisting land uses. A recognition of these social values, inherent in natural processes, must precede prescription for the utilization of natural resources. Once it has been accepted that the place is a sum of natural processes and that these processes constitute social values, inferences can be drawn regarding utilization to ensure optimum use and enhancement of social values. This is its intrinsic suitability."

Design With Nature, I. L. McHarg, Doubleday and Company, Inc., 1969, page 104.

Prepared by: Don Burns, Henry Markus, Sarah Salazar Local Contact Persons

ATTACHMENT B

CONTACT PERSONS FOR AGENCY COORDINATION

ALL JURISDICTIONS IN MORROW AND UMATILLA COUNTIES

Planning Coordinator

Mr. Wayne L. Schwandt, Acting Coordinator
East Central Oregon Association of Counties
Post Office Box 339
Pendleton, Oregon 97801
276-6732

Morrow County

* Morrow County

" Horrow

Mr. David R. Moon, Planning Director Morrow County Planning Department Morrow County Court House Heppner, Oregon 97836 676-5030

* Heppner, Ione, Irrigon, Lexington

Mr. Donald G. Burns, Associate Planner Morrow County Planning Department Morrow County Court House Heppner, Oregon 97836 676-5030

* Boardman

Mr. Jim Thompson, Administrator City of Boardman 206 Main Street, North Boardman, Oregon 97818 481-9252

Umatilla County

* Umatilla County

Mr. Dave Bishop, Planning Director Umatilla County Planning Department Umatilla County Court House Pendleton, Oregon 97801 276-7111 ext. 314

* Echo, Pilot Rock, Stanfield, Ukiah

Mr. Henry S. Markus, Comprehensive Planner East Central Oregon Association of Counties Post Office Box 339 Pendleton, Oregon 97801 276-6732 * Pendleton

Mr. Edd Rhodes, Planning Director City of Pendleton Post Office Box 190 Pendleton, Oregon 97801 276-1811

* Umatilla

Mr. J. K. Palmer, Administrator City of Umatilla Post Office Box 130 Umatilla, Oregon 97882 922-3226

cc: Mr. Ron Johnson, Consultant DMJM/Hilton 1111 Commonwealth Building 421 S.W. Sixth Avenue Portland, Oregon 97204 222-3621

* Adams, Athena, Helix, Weston

Ms. Sarah M. Salazar, Comprehensive Planner Umatilla County Planning Department Umatilla County Court House Pendleton, Oregon 97801 276-7111 ext. 314

* Hermiston

Mr. L. T. Harper, City Manager City of Hermiston 295 East Main Street Hermiston, Oregon 97838 567-5521

* Milton-Freewater

Mr. Del McNerney, City Planner City of Milton-Freewater Post Office Box 108 Milton-Freewater, Oregon 97862 938-5531

* The Confederated Tribes of the Umatilli Indian Reservation

Mr. Tom Hampson, Planning Director Tribal Development Office Post Office Box 638 Pendleton, Oregon 97801 276-3165

ATTACHMENT C

Requests of Federal and State Agencies

Please forward within thirty (30) days of receipt of this letter to the contact person for each jurisdiction affected and to the Planning Coordinator the following information:

A. General Information

- The name of the director and the authorized agency contact person with whom the jurisdiction should deal. If different, please indicate which person will be signing off on the jurisdictions' comprehensive plans during the LCDC Acknowledgement of Compliance Process. Please include mailing addresses, office locations, and telephone numbers.
- The enabling legislation for the agency with current amendments. Please include a summary, if available, with footnotes to the legislation.
- Legislation the agency is charged with administering. Please include a summary, if available, with footnotes to the legislation.
- 4. Grants and/or loans under Statewide Planning Goal #2, "The plan shall be the basis for specific implementation measures", which include "grants for construction". Each jurisdiction's comprehensive plan will thus be used as a basis for grant and loan applications. Please send:
 - A list of grants and/or loans the agency is charged with administering.
 - b. The criteria by which the agency will evaluate grant and/or loan applications from jurisdictions, and the administrative regulations and statutes on which the criteria are based.
 - c. If your agency has already developed grant and/or loan criteria, please indicate how developed and when officially promulgated. If none have yet been developed, please specify the process by which local jurisdictions will review them prior to adoption.
- 5. Permits under Statewide Planning Goal #2, "the plans shall be the basis for specific implementation measures", which include "permits". Please send:
 - a. A list of permits the agency is charged with administering, which may apply to the jurisdictions or applicants in the jurisdictions.
 - b. The criteria which the agency will use to evaluate permit applications, and the administrative regulations and statutes on which the criteria are based.
 - c. If your agency has already developed permit issuance criteria, please indicate how developed and when officially promulgated. If none have yet been developed, please specify the process by which local jurisdictions will review them prior to adoption.

- 6. The administrative appeals procedures of the agency.
- If available, a concise statement or pamphlet outlining the general activities of the agency.
- B. Planning Programs of the Jurisdictions.
 - A listing of data inventories the agency has on file for each jurisdiction. (Please refer to Attachment A Comprehensive Plan Data Requirements.)
 - 2. Technical assistance the agency can provide to each jurisdiction.
 - An indication of the coordination method preferred by the agency for use during the planning process (e.g. telephone calls, letters, inperson visit).
 - 4. Agency evaluation of the comprehensive plans of jurisdictions.
 - a. The criteria the agency will use to evaluate each jurisdiction's comprehensive plan and implementing ordinances, and the administrative regulations and statutes upon which the criteria are based. Please categorize these criteria according to Statewide Planning Goal.
 - b. If your agency has already developed criteria for plan evaluation, please indicate how developed and when officially promulgated. If none have yet been developed, please specify the process by which local jurisdictions will review them prior to adoption.
 - For federal agencies, please comment on whether your agency will be willing to work with the Northwest Federal Regional Council to develop a coordinated federal review process.
 - 6. For state agencies and federal agencies with statewide representatives in Oregon, please comment on whether your agency will be willing to work through the Oregon Land Conservation and Development Commission office in Salem to develop a coordinated review process.
 - 7. A listing of problems which may hinder your agency involvement in the planning programs of the jurisdictions (e.g. insufficient agency budget to assist in tasks specified on jurisdiction's compliance schedule, inadequate agency staffing to provide personnel necessary to do inhouse data compilation, analysis, and reproduction for the jurisdiction to put the data into a usable form).
- C. Plans, Programs, and Activities of the Agency
 - 1. Agency's Plan
 - a. Current plans the agency has which may directly impact the jurisdiction's area. Please include a statement of how the plan was developed and when it was officially adopted.

- b. If no plan now exists or if the present plan is undergoing revision, please specify:
 - 1. The process by which each jurisdiction can be involved in the development of the agency plan.
 - The process by which each jurisdiction will review the plan prior to adoption.
- Areas of interest the agency has within the jurisdiction, to include any current programs, land ownerships, or planning or management responsibilities impacting upon the jurisdiction or its surrounding area.
- Current or potential land use problems or conflicts the agency recognizes.

D. Continuing Requests

- Please insure that a copy of all written communications between your agency and a contact person from any jurisdiction, concerning the land use planning program, is sent to the Planning Coordinator.
- For materials (e.g. agency plans, proposed regulations) the agency is submitting to jurisdictions for review and comment, please send a copy to the Planning Coordinator, with a distribution list of jurisdictions receiving the material for information purposes.
- 3. Please inform both the contact person from each jurisdiction and the Planning Coordinator of:
 - a. Any change in agency contact person in the future (your agency will be informed of any changes in jurisdiction contact personnel or Planning Coordinator).
 - b. Any changes in the enabling legislation for the agency, or in the legislation the agency is charged with administering.
 - c. Any modifications in the criteria for evaluation of grant applications, loan applications, and permit applications.
 - d. Any additional information relevant to the Comprehensive Planning Program of the jurisdictions or planning program of the agency.
- Please recommend to the Planning Coordinator any improvements that can be made in the planning coordination process we are developing pursuant to ORS Chapter 197.

ATTACHMENT D

Requests of Special Districts

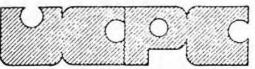
Please respond within thirty (30) days of receipt of this letter to the contact person for each jurisdiction within which your district has programs, land ownerships, or responsibilities. The contact person will be interested in the activities of your district, the planning program of your district, and the development of a coordination process between the district and the jurisdiction where one does not presently exist.

Please send the Planning Coordinator a copy of your communication with each contact person to whom you respond.

ATTACHMENT E

Request of Local Agencies and Organizations Having Programs, Land Owerships, or Responsibilities Within Only One Jurisdiction

Please respond to the contact person for your jurisdiction. Your jurisdiction's contact person will perform coordination work with your agency or organization. Because such coordination will be intra-jurisdictional, there is no need to notify the Planning Coordinator.



Umatilla County Planning Commission

County Courthouse Pendleton, Oreg. 9780

Phone 276 - 7111 Ext. 314

UMATILLA COUNTY

Through August 1977, Umatilla County's planning efforts are directed toward updating the existing county-wide comprehensive plan by developing a sub-area framework plan for the western portion of the county--the "West End." Basically, the plan will identify four land use categories, with policies to match, including urban, urbanizing, rural-residential and natural resource areas. The cities in the planning unit either have a specific city plan or are in the process of developing one in coordination with county planning programs. Attached is a meeting schedule of our advisory group. Agencies are invited to attend the meetings and may be asked to provide information on subjects discussed. Phore 276-7111, extension 314, the Planning Department, for specific time and place of meetings.

UMATTLIA COUNTY - WESTERN PLANNING UNIT* WEST END CITIZENS ADVISORY COMMITTEE PLANNING MEETING TOPICS

November 11	v.	Discussion of work schedule and overall county planning program.
23 ·		Election of officers, organization committee report on subcommittee structure, review existing Comprehensive Plan and Map.
December 9		Discussion of how to survey community needs and problems, discussion of some natural hazard inventory prepared by staff, possibly hold a town meeting to identify (survey) west end problems.
land use 23 comments.		Discussion of criteria for identifying agricultural lands, review public facilities inventory prepared by staff.
	December 9	December 9

^{*} Includes greater Umatilla, Hermiston, Stanfield, and Echo areas of the county-

Umatilla County: cont'd page 2

	January	13		Discussion of urban growth boundary, review of interim boundaries of cities, review and discuss open space inventory; continue survey of community needs and problems.
. ·		27	111	Discuss recreation needs, review state parks plan and inventory of recreation areas, evaluate results of community needs survey.
	Februar	y 10		Review Echo-Stanfield economic data, review county population-employment projection, discuss economic development, identify employment centers.
		24	1 1	Review and discuss west end land use inventory.
1	farch	10	¥	Review transportation inventory, discussion of county road conditions, review agricultural lands inventory.
		24		Review City of Umatilla draft plan, discuss all inventories needed to identify framework land uses, discuss housing data.
	April	14	0 11 6 4 4	Discussion and review air-water-land quality problems and inventories, review projections of land use needs-employment-population-desired density-financial ability to serve.
	19	28		Review map projecting future framework land areas, discuss conflicts with present picture, discuss energy conservation considerations.
.1	May	12		Continue discussion of conflict areas, discuss alternative land uses and policies, begin formulation of alternative plans.
-	1	26		Continue discussion of community goals.
3	June	9		Formulation of plans to achieve goals and policies; Discussion of plan rough draft.
		23	-	Continued work on plan draft; Review Echo and Stanfield Draft Plans prepared by city planner.
	July	14	7.4	Attend Echo and Stanfield hearings on city plans; Continue work on county plan draft.
	August		, .	Present draft of West-End Plan (text and map) to County Planning Commission.

P. D. BOX 190 PENDLETON, DREGON 97801

January 5, 1977

Dear Coordinating Agency:

Copies of the City of Pendleton's Third Draft of its Comprehensive Plan are available for review and comment by you at the offices of the Land Conservation and Development Commission, Salem, Oregon, the East Central Oregon Association of Counties, Pendleton, Oregon, or City Hall in Pendleton.

Sincerely,

Edward a Bhodes

Edward A. Rhodes Le Ly
Director of Planning & Building

EAR:clf



RECIPIENTS OF PLANNING COORDINATION LETTER

Federal Agencies by Certified Mail

Ms. Mary Mundell Mr. D. Craig Ahlberg Rural Development Service U.S. Department of Agriculture

Mr. Louis Baxter Mr. Kenneth K. Keudell Mr. Ken Durrell Farmers Home Administration U.S. Department of Agriculture

Mr. Jack Sainsbury Mr. David McLeod Mr. George Potter Agriculture Stabilization and Conservation Service

Ms. Laura Jean White Federal Crop Insurance Corporation U.S. Department of Agriculture

Mr. Thomas W. Thompson Mr. Jim Pease Mr. Gerald Brog Mr. Darrell Maxwell

Mr. Myron L. Dunning Mr. Harold Kerr

Oregon State Extension Service U.S. Department of Agriculture

Mr. Al Oard Mr. H. B. Rudolph Mr. Warren Post Mr. Gordon George Forest Service

U.S. Department of Agriculture

Mr. William L. Dugan Mr. Guy W. Nutt Mr. Robert Adelman

Mr. Dale Boner

Soil Conservation Service

U.S. Department of Agriculture

Mr. Tom Current Mr. Ronald R. Hall Mr. Mark Huston Mr. C. Mark Smith

Economic Development Administration

U.S. Department of Commerce

Umatilla Army Depot Department of the Army

Mr. Dave Geiger Mr. Ron Barrett Mr. Frank Parsons Mr. Gordon D. Richardson Mr. Larry Bogas Planning Branch, Portland Army Corps of Engineers Department of the Army

Mr. Stan Dumas 13th Naval District Western Naval Facilities

Lt. Brian Quandeck Naval Weapons Systems Training Facilities

Mr. Gary Gillespy Mr. Cliff Safranski U.S. Department of Housing and Urban Development

Mr. Charles Polityca Mr. Chuck Hoyt Office of Land Use and Water Planning U.S. Department of Interior

Mr. Don Rogers Mr. John Kincheloe Mr. Larry Rasmussen U.S. Fish and Wildlife Service U.S. Department of Interior

Mr. Ernest J. Borgman Mr. Edwin L. Arnold National Park Service U.S. Department of Interior

Mr. Walter Lewis Bureau of Mines U.S. Department of Interior

Mr. A. R. Leonard Geological Survey U.S. Department of Interior

Mr. Roy Sampsel Bureau of Indian Affairs U.S. Department of Interior

Federal Agencies (continued)

Mr. Tom Hampson
Mr. John Hughes
Confederated Tribes of the
Umatilla Indian Reservation
Bureau of Indian Affairs
U.S. Department of Interior

Mr. Bob Coffman Baker Office Bureau of Land Management U.S. Department of Interior

Mr. James Norris Mr. James Habermehl Bureau of Outdoor Recreation U.S. Department of Interior

Mr. Dale Gooch Bureau of Reclamation U.S. Department of Interior

Mr. Emmett Willard Mr. Harold M. Cantrell Bonneville Power Administration U.S. Department of Interior

Land and Natural Resources Division Washington, D.C.
U.S. Department of Justice

Mr. Richard Arnold U.S. Department of Transportation

Mr. Hans Sperber Federal Aviation Administration U.S. Department of Transportation

Region 10 Federal Highway Administration U.S. Department of Transportation

Portland Office Federal Railroad Administration U.S. Department of Transportation

Mr. Cecil Quellette Mr. John Vlastelica U.S. Environmental Protection Agency Washington, D.C.
(Office of Public Information)
Mr. Frank Thomas
Federal Power Commission

Mr. J. Don Chapman Small Business Administration

Mr. Andy Ekman Federal Energy Administration

Seattle Office U.S. Energy Research and Development Administration

Mr. Jim Hanchett Mr. Robert Ryan Mr. Robert Engelken Nuclear Regulatory Commission

Mr. George Van Santan Mr. Donel J. Lane Mr. Larry Vinton Pacific Northwest River Basin Commission

Pendleton Office Heppner Office Ione Office U.S. Postal Service

Salt Lake City Office U.S. Weather Bureau

State Agencies by Certified Mail

Mr. Don McKinnis Agricultural Development Department of Agriculture

Ms. Lois Bohlender
Mr. Trever Jacobson
Wr. Dave Bassett
Building Codes Division
Department of Commerce

Mr. Douglas Stevie Housing Division Department of Commerce

Mr. Gene Osborne Real Estate Division Department of Commerce

Mr. Daniel Goldy Department of Economic Development

Mr. Floyd Shelton Ports Department of Economic Development

Mr. John Groupe Eastern Oregon Regional Office Department of Economic Development

Mr. William G. Wilmot, Jr. Department of Education

Mr. David E. Piper Department of Energy

Mr. Mike Downs Mr. Steve Gardels Mr. Robert Jackman Mr. Bill Young Department of Environmental Quality

Mr. Michael Burton Mr. David Hupp Ms. Leslie Lehmann Intergovernmental Relations Division Executive Department

Mr. James Lauman
Mr. Jack E. Melland
Mr. Glen F. Ward
Mr. William C. Hall
Mr. James V. Phelps
Department of Fish and Wildlife

Mr. Phillip Brogan Mr. Bill Holstclaw Division Management, Plans and Programming Oregon State Department of Forestry

Mr. John D. Beaulieu
Department of Geology and Mineral
Industries

Mr. Standley L. Ausmus Mined Land Reclamation Division Department of Geology and Mineral Industries

Mr. Jack I. Hinderup Office of Facilities Planning Oregon State Board of Higher Education

Mr. Richard A. Davis Mr. Darrel Buttice Department of Human Resources

Mr. Don Steward Employment Division Department of Human Resources

Mr. Bert Worley
Mr. Laverne Miller
Mr. Jack Wright
Mr. Willard S. Titus
Oregon State Health Division
Department of Human Resources

J. D. Bray, M.D.
Mr. J. E. Murray
E. C. Brunette, Ph.D.
Mental Health Division
Department of Human Resources

Mr. Harold Brauner
Mr. Ronald Eber
Mr. Bob Bailey
Mr. Mike Fleschner
Mr. Herb Riley
Department of Land Conservation
and Development

Mr. Stanley Hamilton Mr. Leonard Wilkerson Mr. Burton P. Lewis Division of State Lands

State Agencies (continued)

Mr. Keith Stubblefield Mr. Buck Costar Oregon Law Enforcement Council State Planning Agency

Mr. James A. Hadley Oregon State Marine Board

Mr. Robert R. Fisher District No. 4 Headquarters, Baker Oregon State Police Department

Mr. Paul Bettiol
Mr. Leonard Skinner
Board on Police Standards and Training

Mr. James E. Weiss Center for Population Research and Census

Mr. Dave Astle Mr. Gale Spinning Public Utility Commission

Mr. Charles Liles State Soil and Water Conservation Commission

Mr. Robert A. Burco Mr. Robert Bensley Mr. Robert Schroeder Mr. George Strawn Department of Transportation

Mr. Fred Klaboe Mr. Bill Beckner Highway Division Department of Transportation

Mr. David G. Talbot
Mr. Ted Dethlefs
Mr. Ted Long
Parks and Recreation Branch
Highway Division
Department of Transportation

Salem Office Department of Veterans Affairs Mr. Darrell Learn
Mr. William Porfily
Mr. Douglas Bennett
Mr. Joseph Szramek
Department of Water Resources

Mr. Jeffrey Kleinman Mr. Stephen Kafoury Joint Legislative Committee on Land Use

Mr. Henry R. Richmond 1000 Friends of Oregon

Mr. David Cole Museum of Natural History University of Oregon

Mr. Kenneth C. Tollenaar Bureau of Governmental Research University of Oregon

Mr. Glen Juday Natural Area Preserves Advisory Committee

Mr. Ben Mouchett 208 Water Quality Project

Other Agencies (County, City, Local, etc.) By Certified Mail

League of Oregon Cities Salem

Association of Oregon Counties Salem

Mr. Wayne Rifer The Nature Conservancy

Umatilla County Board of Commissioners

Morrow County Commissioners

Mr. Jim Ellis Blue Mountain Economic Development Council

Mr. Ed Hoeft
Mr. Dale Boner
Columbia Blue Mountain Resource,
Conservation, and Development

Mr. Ronald R. Hall East Central Oregon Association of Counties

Umatilla County Assessor

Umatilla County Fair Board Hermiston

Umatilla County Housing Authority Hermiston

Mr. Tom Munck Umatilla County Intergovernmental Council

Ms. Julia Murray Umatilla County League of Woman Voters

Mr. Bruce Barnes, MSW, ACSW Umatilla-Morrow County Mental Health Program

Reverend Dirk Rinehart
Umatilla-Morrow County Mental Health
Program Advisory Board

Mr. Art Barrows Umatilla County Parks Commission

Umatilla County Planning Commission

Mr. Carlos Van Elsberg Umatilla County Road Department

Mr. Glen Thorne Umatilla County Road Advisory Commission

Mr. Henry Kopacz Umatilla County Water and Soil Conservation District

Morrow County Assessor

Ms. Ruth McCabe Morrow County Historical Society

Morrow County Road Department

Mr. William Penney Port of Umatilla

Mr. Rupert Kennedy Port of Morrow

Heppner Chamber of Commerce

City Councils

Adams Athena Boardman Echo Helix Heppner Hermiston Ione Irrigon Lexington Milton-Freewater Pendleton Pilot Rock Stanfield Ukiah Umatilla

Mr. Pat Gordon Mr. Dick Grant Eastern Oregon Health Systems Agency, Inc.

Other Agencies (continued)

Schools

Blue Mountain Community College Pendleton

Athena School District No. 29

Echo School District No. 5 Echo

Ferndale School District No. 1 Milton-Freewater

Helix School District No. 1 Helix

Hermiston School District No. 8 Hermiston

McLoughlin Union High District No. 3 Milton-Freewater

Milton-Freewater School District No. 31 Milton Freewater

Morrow County School District No. 1 Lexington

Pendleton School District No. 16 Pendleton

Pilot Rock School District No. 2 Pilot Rock

Stanfield School District No. 61 Stanfield

Tum-A-Lum School District No. 4 Milton-Freewater

Ukiah School District No. 80 Ukiah

Umapine School District No. 13 Milton-Freewater

Umatilla School District No. 6 Umatilla

Umatilla County Intermediate Education District Pendleton Weston School District No. 19 Weston

* * * * * *

Irrigon Park District

Hermiston Irrigation District

Stanfield-Westland Irrigation District

Heppner Flood Control District

Lexington-Ione Cemetary District

Heppner Cemetary District

Irrigon Cemetary District

Athena Police Department

Boardman Fire District

Echo Fire Department

Helix Fire Department

Heppner Rural Fire District

Hermiston Fire Department

Irrigon Rural Fire Protection

Pendleton Fire Department #1

Pendleton Fire Department #2

Pilot Rock Fire Department

Stanfield Fire Department

Umatilla Fire Department

Pioneer Memorial Hospital

St. Anthony Hospital

Other Agencies (continued)

Morrow County Grain Growers

Ione Heppner Lexington

Grain Growers, Inc.

Athena Echo Helix . Hermiston Pendleton Pilot Rock

Greyhound Bus Lines Pendleton

Burlington Northern, Inc.

Helix Pendleton Portland (Regional Office)

Union Pacific Railroad

Heppner Ione Pendleton Weston

Mr. Don Nielson Union Pacific Land Resources Corporation

Pacific Northwest Bell Pendleton

Eastern Oregon Telephone Company Pilot Rock

Columbia Cable Television Hermiston

Heppner Television, Inc. Heppner

Lexington City Television Lexington

Pendleton Community Television System Pendleton

Weston/Athena Community Television Company Athena

Pacific Power and Light Pendleton

Portland General Electric Company Portland

Umatilla Electric Cooperative Association Hermiston

Columbia Basin Electric Co-op Heppner

Cascade Natural Gas Hermiston

Cascade Natural Gas Pendleton

Heppner Nor-Gas Company Heppner

McCall Gas Company Stanfield

Pacific Gas Transmission Company San Francisco

Contact Persons

Mr. Jim Thompson City Administrator City of Boardman

Mr. David R. Moon Planning Director Morrow County Planning Department

Mr. Donald G. Burns Associate Planner Morrow County Planning Department

Mr. Cecil Thompson Chairman West-End Citizens Advisory Committee

Mr. L. T. Harper City Administrator City of Hermiston

Mr. Del McNerney City Planner City of Milton-Freewater Mr. Edd Rhodes Planning Director City of Pendleton

Mr. Henry Markus Comprehensive Planner East Central Oregon Association of Counties

Mr. Dave Bishop Planning Director Umatilla County Planning Department

Ms. Sarah M. Salazar Comprehensive Planner Umatilla County Planning Department

Mr. J. K. Palmer City Administrator City of Umatilla

Mr. Ron Johnson, Consultant DMJM/Hilton, Portland

Neighboring Jurisdictions

Benton County Court House Prosser, Washington

Gilliam County Board of Commissioners Condon, Oregon

Grant County Board of Commissioners Canyon City, Oregon

Klickitat County Court House Goldendale, Washington Union County Board of Commissioners La Grande, Oregon

Walla Walla County Court House Walla Walla, Washington

Wallowa County Board of Commissioners Enterprise, Oregon

Wheeler County Board of Commissioners Fossil, Oregon

Recipients of Informational Copies

President Jimmy Carter

Mr. Jack H. Watson

Governor Robert Straub State of Oregon

U.S. Senator Mark O. Hatfield

U.S. Senator Bob Packwood

U.S. Representative Al Ullman

Senator Mike Thorne

Senator Kenneth Jernstedt

Senator Robert Smith

Representative Max Simpson

Representative Jack Sumner

Representative Ed Patterson

Representative Jack Duff

Governor Dixie Lee Ray State of Washington

U.S. Senator Warren G. Magnuson

U.S. Senator Henry M. Jackson

U.S. Representative Thomas S. Foley

U.S. Representative Mike McCormick

Senator Jeanette Hayner

Senator Max Benitz

Senator Al Henry

Representative Eugene Struthers

Representative Charles Kilbury

Representative Claude Oliver

Representative Gene Laughlin

Representative James Boldt

Mr. Dick Porn

Economic Development Administration

Federal Agencies by Certified Mail

Cabinet Level

Mr. James Schlesinger Assistant to the President Energy Affairs

Mr. Robert Bergeland Secretary of Agriculture

Ms. Juanita'M. Kreps Secretary of Commerce

Mr. Harold Brown Secretary of Defense

Mr. Joseph A. Califano, Jr.
Secretary of Health, Education,
and Welfare

Ms. Patricia R. Harris Secretary of Housing and Urban Development

Mr. Cecil Andrus Secretary of Interior Attorney General Griffin Bell Department of Justice

Mr. Ray Marshall Secretary of Labor

Mr. Thomas B. Lance Director, Office of Management and Budget

Mr. Cyrus Vance Secretary of State

Mr. Brockman Adams Secretary of Transportation

Mr. W. Michael Blumentahl Secretary of Treasury

Second Certified Mailing

Federal Agencies

Mr. Merle Storm, Director Bureau of Land Management U.S. Department of Interior

Mr. Maurice H. Lundy, Director Bureau of Outdoor Recreation U.S. Department of Interior

Mr. Rod Vissia, Regional Director Bureau of Reclamation U.S. Department of Interior

Mr. Donald P. Hodel, Administrator Bonneville Power Administration

Mr. Christian Walk, Director Federal Aviation Administration

Mr. Earl Anderson, Acting Administrator Federal Railroad Administration

Mr. Jack Robertson, Regional Director Federal Energy Administration

Mr. Tab Seahorn, Acting Director Agricultural Stabilization and Conservation Service

Mr. H. A. Wadsworth Coop. Extension Service Oregon State University

Mr. Theodore A. Schlapfer Forest Service U.S. Department of Agriculture

Colonel Harvey Arnold, Jr. Army Corps of Engineers Mr. J. D. Murray, Jr., Admiral U.S. Navy

Mr. Nile B. Paul, Acting Director Department of Housing and Urban Development

Mr. Russell E. Dickenson National Park Service U.S. Department of Interior

Mr. Francis Briscoe Area Director of the Bureau of Indians Affairs

Mr. George F. Wager Federal Communications Commission

Mr. John H. Jewhurst, Lt. Colonel U.S. Air Force

Mr. Lloyd R. Porter, District Director U.S. Department of Commerce

Dr. Fred Cleaver NOAA National Marine Fisheries

Mr. David Head, Regional Administrator U.S. General Services Administration

Mr. James Wakefield National Weather Service

Mr. Bernard E. Kelly, Regional Director Department of Health, Education, and Welfare

Rear Admiral C. A. Richmond, Jr. U.S. Coast Guard

State Agencies

Mr. Leonard Kunzman, Director Department of Agriculture

Mr. Clarence Parker Department of Economic Development

Dr. Verne Duncan Department of Education

Mr. Fred Miller Department of Energy

Mr. Jack Carter Intergovernmental Relations Division Executive Department

Mr. John R. Donaldson Department of Fish and Wildlife

Mr. Ed Schroeder Department of Forestry

Mr. Raymond Corcoran
Department of Geology and
Mineral Industries

Mr. Dennis Murphy
Department of Human Resources

Mr. Keith Putman Oregon State Health Division

Mr. William S. Cox Division of State Lands

Mr. Laurence Sprecher, Director Department of General Services

Mr. Lon Topaz Mr. Charlie Davis Public Utility Commission

Mr. Jim Sexson, Director Water Resources Department

Mr. Richard A. Miller, Major General Oregon Military Department

Mr. Jim Ross Department of Land Conservation and Development

BEFORE THE MORROW COUNTY COURT

In the matter of the Development and Adoption of Procedures and Standards for County Review of City Comprehensive Plans.

Resolution and Order

WHEREAS, ORS 197.175 requires each city and county in the State of Oregon to prepare and adopt comprehensive plans consistent with Statewide Planning Goals, and

WHEREAS, CRS 197.190 requires each county to coordinate all planning activities affecting land use within the county, including those of the county, cities, special districts, and state agencies; to assure an integrated comprehensive plan for the entire area of the county, and

WHEREAS, ORS 197.255 requires each county to review all comprehensive plans in the county for the purpose of advising local jurisdictions as to their conformity with Statewide Planning Goals, and

WHEREAS, Statewide Planning Goal #14 requires that the establishment and change of urban growth boundaries shall be a cooperative process between cities and the county, and

WHEREAS, Morrow County's Planning Coordinator met on December 6, 1976, and February 14, March 21, April 11, April 22, May 9, and May 27, 1977, with local planners or contact persons to develop the process for establishing urban growth boundaries, and

WHEREAS, local planners following the direction provided by the Morrow County Court have developed an overall process necessary to meet the statutory and county requirements for the establishment of urban growth boundaries and activities related thereto, and

WHEREAS, the Morrow County Court has requested each city in the county to review and comment on the proposed process, and

WHEREAS, adoption of this process will provide a form for cooperative establishment of urban growth boundaries, review of city comprehensive plans including areas within urban growth boundaries, and will provide the basis for developing joint city/county management policies for land within urban growth boundaries,

NOW, THEREFORE, IT IS HEREBY RESOLVED that the Morrow County Court adopts:

- 1. The process for county review of city comprehensive plans and urban growth boundaries as given in Attachment A; and
- 2. The form of review as given in Attachment B.

BE IT FURTHER RESOLVED AND ORDERED that the Morrow County Planning Department and Planning Commission are directed to use:

- The process adopted herein for review of city comprehensive plans and urban growth boundaries; and
- 2. The form of review adopted herein and the Statewide Planning Goals as the basis for reviewing city comprehensive plans and urban growth boundaries, establishing findings of fact, and making recommendations on adoption of or concurrence with a city's comprehensive plan and urban growth boundary.

Dated this Tuhday of August, 1977.

Morrow County Court

D. O. Nelson, Judge

ATTEST:

. . .

Homer W. Hughes, Commissioner

Sadie Parrish County Clerk

Warren H. McCoy, Commissioner

Process

County Review of City Comprehensive Plans

- I. Final Draft Plan Review
 - A. City circulates draft plan for review.
 - B. City and county planners discuss draft plan.
 - C. County staff report prepared
 - D. Review by county planning commission
 - 1. Public notice, planning commission work session, ten days
 - 2. Planning commission work session
 - a. City presentation (city option)
 - b. County staff report
 - c. Comments by affected government units
 - d. Public comments
 - e. Questions
 - 3. Planning commission findings and recommendations
 - a. Findings on
 - 1. Compliance with state goals.
 - 2. City/county issues identified.
 - Urban growth boundary and plan for area within boundary outside city limits.
 - 4. Coordination with affected government units.
 - b. Recommendations
 - E. Summary of planning commission work session, findings, and recommendations prepared and distributed by county staff.
 - F. County staff report revised as necessary to reflect issues identified at planning commission work session and/or new information.
 - G. Review by Court
 - 1. Public notice, Court hearing, ten days
 - 2. Court hearing
 - a. Summary of planning commission work session, findings, and recommendations

- b. City presentation (city option)c. County staff report
 - d. Comments by affected government units
 - e. Public comments
- f. Questions
- 3. Court findings and recommendations
 - a. Findings on
 - 1. Compliance with state goals
 - 2. City/county issues identified
 - Urban growth boundary and plan for area within boundary outside city limits
 - 4. Coordination with affected government units
 - b. Recommendations
- H. Summary of county review of city draft plan prepared and distributed by county staff
- II. Adopted Plan Review Process
 - A. City circulates plan for review
 - B. City meets with county planning commission to discuss plan (city option)
 - C. County staff report prepared
 - D. Review by county planning commission
 - 1. Public notice, planning commission hearing, ten days
 - Planning commission hearing
 - a. City presentation (city option)
 - b. County staff report
 - c. Comments by affected government units
 - d. Public comments
 - e. Questions
 - 3. Planning commission findings and recommendations
 - a. Findings on
 - 1. Compliance with state goals
 - 2. City/county issues

- 3. Urban growth boundary and plan for area within boundary outside city limits
- 4. Coordination with affected government units
- b. Recommendations
 - 1. Further negotiation needed and/or
 - 2. Adopt/concur with exceptions as necessary
- E. Summary of planning commission hearing, findings, and recommendations prepared and distributed by county staff.
- F. County staff report revised as necessary to reflect issues identified at planning commission hearing and/or new information.
- G. Review by Court
 - 1. Public notice, Court hearing, ten days
 - 2. Court hearing
 - a. Summary of planning commission hearing, findings, and recommendations
 - b. City presentation (city option)
 - c. County staff report
 - d. Comments by affected government units
 - e. Public comments
 - f. Questions
 - 3. Court findings and actions
 - a. Findings on
 - 1. Compliance with state goals
 - 2. City/county issues
 - Urban growth boundary and plan for area within boundary outside city limits
 - 4. Coordination with affected government units
 - b. Action
 - 1. Further negotiation with city and/or
 - 2. Adoption of plan if urban growth boundary outside city limits with exceptions as necessary, or
 - 3. Concurrence with plan with exceptions as necessary
- H. Summary of county review of city plan prepared and distributed by county staff.

ATTACHICATION D

Form of Review

County Review of City Comprehensive Plans

The purpose of this intensive review is to resolve intergovernmental planning and coordination issues at the local level to the greatest extent possible. The following questions will be addressed by the Morrow County Court, Planning Commission, and County staff in reviewing city comprehensive plans. The emphasis of the review is to insure that the plan is in compliance with Statewide Planning Goals, city/county issues have been identified and resolved, cooperative establishment of an urban growth boundary and plan for the area within the boundary outside city limits, and coordination with affected government units.

Data Inventories

- a. Which inventories required by the Statewide Planning Goals were considered not applicable to the planning area?
- b. Were there inventories for which adequate information was not available?
- c. For those inventories completed:
 - 1. Was best existing data used?
 - 2. Were sources, dates, inadequacies noted?
 - 3. Are maps, tables, narrative understandable?
 - 4. Was this information made available to the public?
 - 5. Were research needs identified and prioritized?

2. Identification of Buildable Lands

- a. Which of the following lands considered unsuitable for development were identified in the planning area?
 - 1. Floodway, floodplain
 - 2. Creeks, ditches, rivers, wetlands
 - 3. Earthquake fault zones
 - 4. Agricultural and forest lands
 - 5. Severe soil limitations (groundwater, steep slopes, landslides, erosion and disposition, weak foundations soils)
 - 6. Mineral and aggregate resource sites
 - 7. Archaeological/paleontological sites
 - 8. Outstanding scenic views and sites
 - 9. Significant fish, wildlife, and natural areas
 - 10. Wild and scenic waterways (potential/approved, state/federal)

- b. If any of these lands were included within the urban growth boundary, what policies were adopted to:
 - protect public health, safety, and welfare?
 - 2. protect environmental quality, natural and scenic resources?
- 3. Economic and population projections
 - a. Were emerging trends and possible future key events identified?
 - b. Forecast(s) over what time period(s)?
 - c. Were assumptions explicit?
 - d. Was best existing data used and sources, dates, and uncertainties noted?
 - e. Were comparisons made with other forecasts?
 - f. Were there findings and conclusions?
- 4. Land requirements for projected economic development and population growth
 - a. Were land characteristics required for different types of projected development established?
 - b. Was the availability of land with these characteristics -- within city, contiguous to city established?
 - c. Was the total amount of land required for development specified?
- 5. Public facilities and services required to accommodate existing ummet needs and expected economic and population growth
 - a. Were design requirements/standards established?
 - b. Was energy conservation and use of renewable energy resources -- water, sunshine, wind, geothermal, wastes (municipal, industrial, farm, forest) emphasized?
 - c. Were alternative ways to meet needs discussed?
 - d. Was the ability of the community to provide such facilities and services established?
- 6. Comprehensive plan and urban growth boundary
 - a. Are goals, findings, objectives, and policies (or their equivalent) indexed or collected in one place in the planning report?
 - b. Was adequate but not excessive land set aside for projected development with appropriate or required characteristics?
 - c. Does the land included meet design requirements for public facilities and services?
 - d. Were natural or man-made tarriers recognized?

- e. Were lands unsuitable for development excluded and/or left in open space uses?
- f. Were conflicts resolved or exceptions taken to the Statewide Goals?
- g. Coordination with affected governmental units:
 - 1. Were joint issues and problems identified?
 - 2. Were policies established to resolve these issues and problems?
 - 3. Does the plan provide for joint implementation by governmental bodies operating in the planning area?
- h. Was citizen involvement in the comprehensive planning process documented?
- i. Was a policy established for revising or amending the comprehensive plan and the urban growth boundary?
- 7. Were policies established for implementation of the plan such as,
 - a. Zoning and subdivision ordinances
 - b. Capital improvement program
 - c. Phasing of infrastructure within urban growth boundary
 - d. Intergovernmental cooperation and agreements

Appendix E

Ordinance No. 78-2

AN ORDINANCE ADOPTING THE CITY OF LEXINGTON

COMPREHENSIVE PLAN

SECTION 1. AUTHORITY

Pursuant to Oregon Revised Statutes Chapters 92, 197, 215 and 227, the Statewide Planning Goals, and in coordination with Morrow County and other affected governmental units, the City of Lexington hereby adopts the City of Lexington Comprehensive Plan including plan goals and policies as enumerated herein and the plan map included as Attachment "A".

SECTION 2. PLAN TECHNICAL REPORT

The technical report provides the background information, facts and considerations that the city's comprehensive plan goals, policies and map are based on. The technical report is not adopted as part of the plan but remains the supporting document that is subject to revision as new technical data becomes available. When new data indicates that the city's plan should be revised, amendments shall be made as provided in Section 7.

SECTION 3. PLAN IMPLEMENTATION MEASURES

All plan implementation measures including but not limited to the City of Lexington Zoning Ordinance, Subdivision Ordinance, Mobile Home Park Ordinance, Flood Area Management Ordinance, and Urban Growth Area Joint Management Agreement between the City of Lexington and Morrow County, shall be consistent with and subservient to the City's Comprehensive Plan.

SECTION 4. AVAILABILITY OF PLAN

After the City of Lexington Comprehensive Plan receives an acknowledgement of compliance from the Oregon Land and Conservation and Development Commission, the comprehensive plan and implementation measures shall be available for use and inspection at Lexington City Hall, Morrow County Public Library, Morrow County Planning Department office in Heppner, East Central Oregon Association of Counties office in Pendleton, and the Department of Land Conservation and Development office in Salem.

SECTION 5. PLAN GOALS AND POLICIES

The following statement of Goals and Policies provide a general long-range basis for decision-making relative to the future growth and development of the City. The goals are patterned after and are in direct response to applicable Oregon Statewide Planning Goals. The Policy statements set forth a guide to courses of action which are intended to carry out the Goals and the plan. The policy statements present a clear Picture of the City's position on matters pertaining to physical improvements and development.

City of Lexington

Goals and Objectives

1. CITIZEN INVOLVEMENT

GOAL: To develop a citizen involvement program that insures opportunity for citizens to participate in all phases of the planning process.

Objectives

To conduct periodic community surveys to ascertain public opinion and collect information; survey results should be distributed.

To encourage people to attend and participate in city council meetings and hearings.

To make the draft comprehensive plan and technical report available for public review and comment.

To distribute the adopted comprehensive plan to the public for use as a reference in making future land use decisions.

2. LAND USE PLANNING

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

Objectives

To prepare data inventories on natural resources, man-made structures and utilities, population and economic characteristics, and the roles and responsibilities of affected governmental units.

To identify lands suitable for development and areas where development should be restricted.

To develop economic and population projections.

To determine the land requirements for projected economic development and population growth.

To determine the public facilities and services required to accommodate existing unmet public needs and expected economic and population growth.

To prepare a comprehensive plan and establish an urban growth boundary based on the above information, citizen input, coordination with affected governmental units, and the goals and objectives adopted herein.

To establish policies for the implementation of the comprehensive plan.

To develop zoning and subdivision ordinances and a capital improvement program based on the comprehensive plan.

To establish a policy for revising or amending the comprehensive plan.

3. ARGICULTURAL LANDS

GOAL: To preserve and maintain agricultural lands.

Objectives

To identify agricultural lands which should be preserved and protected from urban development.

To encourage residential, commercial, and industrial development within the urban growth boundary.

To encourage the Morrow County Planning Department and County Court to restrict residential, commercial, and industrial development outside the urban growth boundary.

Land zoned agricultural shall remain so until such time as the property owner requests a zone change. At the time the zone change shall comply with the comprehensive plan.

4. OPEN SPACE, SCENIC AND HISTORICAL AREAS, AND NATURAL RESOURCES

GOAL: To conserve open space and protect natural and scenic resources.

Objectives

To identify open spaces, scenic and historical areas, and natural resources which should be preserved from urban development.

To examine any publicly-owned lands including street rights-of-way for their potential open space use before their disposition.

To protect archaeological and historic sites, structures, and artifacts.

To conserve the area's natural resources.

5. AIR, WATER, AND LAND RESOURCES QUALITY

GOAL: To maintain and improve the quality of the air, water, and land resources of Lexington.

Objectives |

To limit all discharges from existing and future development to meet applicable state or federal environmental quality statutes, rules, and standards.

To discourage industries which would have a significant detrimental effect on the environmental resources of the area.

6. AREAS SUBJECT TO NATURAL DISASTERS AND HAZARDS

GOAL: To protect life and property from natural disasters and hazards.

Objectives

To administer areas of flood hazard according to the City's Flood Area Management Ordinance to be adopted by the City upon completion of the final flood plain study.

To require site specific information clearly determining the degree of hazard present from applicants who seek approval to develop residential, commercial, or industrial uses within known areas of natural disasters and hazard.

7. RECREATIONAL NEEDS

GOAL: To satisfy the recreational needs of the citizens of Lexington and visitors.

Objectives

To develop public meeting places and indoor recreational facilities for all age groups.

To develop neighborhood parks and outdoor recreational facilities in order to meet the needs of residents and visitors as the community grows.

8. ECONOMIC DEVELOPMENT

GOAL: To diversify and improve the economy of Lexington.

Objectives

To encourage commercial development to meet the needs of residents and visitors.

To encourage diversified, non-polluting industrial development in order to provide a stable job market.

To maximize the utilization of local manpower as job opportunities increase.

9. HOUSING

GOAL: To increase the supply of housing to allow for population growth and to provide for the housing needs of the citizens of Lexington.

Objectives

To allow for a moderate rate of growth.

To allow for residential development which provides prospective buyers with a variety of residential lot sizes, a diversity of housing types, and a . range in prices.

10. PUBLIC FACILITIES AND SERVICES

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

Objectives

To develop, maintain, update, or expand police and fire services, streets, water and sewer systems, and storm drains as necessary to provide adequate facilities and services to the community.

To cooperate with agencies involved in providing and coordinating social services to the community.

To work with Morrow County to insure adequate provision for and control of solid waste disposal sites.

To plan public facilities, services, and utilities to be maintained by the City of Lexington in cooperation with private companies to meet expected demand.

To provide City water and sewer services when available only after the area to be served has been annexed to the City or at the discretion of the City Council.

11. TRANSPORTATION

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

Objectives

To encourage good transportation linkages (pedestrian, vehicular, bicycle, etc.) between residential areas and major activity centers.

To encourage industry to locate in areas which are or can be served by the railroad.

To prioritize the sequence for the paving of city streets.

To contract with Morrow County or the State of Oregon or private contractors to pave streets within the City when they are doing other work in the area.

12. ENERGY CONSERVATION

GOAL: To conserve energy and develop and use renewable energy resources.

Objectives |

To develop a zoning ordinance which protects sun rights.

To develop subdivision regulations which require that the orientation of streets and buildings allow for utilization of solar energy and require land-scaping to reduce summer cooling needs.

To design the extension and upgrading of water and sewer lines when available and facilities to minimize energy use.

13. URBANIZATION

GOAL: To provide for an orderly and efficient transition from rural to urban land use.

Objectives

To establish an urban growth boundary to identify and separate urbanizable land from rural land.

To develop a cooperative process between Lexington and Morrow County for the establishment and change of the urban growth boundary.

To establish a policy for revising or amending the urban growth boundary.

SECTION 6. PLAN AND IMPLEMENTATION MEASURE REVIEW

- The City Comprehensive Plan and implementation measures shall be reviewed at least annually to determine conformity with changes in:
 - a. Requirements of the City;
 - b. Needs of residents or landowners within the City urban growth area;
 - c. Concerns of affected governmental units; and
 - 4. County administration of land use regulation within urban growth areas
- 2. The City Comprehensive Plan and implementation measures shall be reviewed as the City Council determines necessary for conformity with changes in:
 - a. The Oregon Revised Statutes;
 - b. Oregon Case Law;
 - c. Oregon Statewide Planning Goals
- If the City Comprehensive Plan, implementation measures, or both fail to conform to any or all of the above-mentioned criteria, the non-conforming document(s) shall be amended as soon as practicable.

SECTION 7. PLAN AMENDMENT

After the Planning Commission and City Council determine that proposed amendments should be considered, amendment of the Comprehensive Plan shall be based on the following procedure and requirements.

- 1. The City Council shall set a public hearing date and give notice thereof through a newspaper of general circulation in the City at least ten (10) days prior to the hearing.
- Copies of proposed amendments shall be made available for public review at least ten (10) days prior to the City Council hearing and if applicable, not shall be mailed to:
 - (a) Property owners within 250 feet of a proposed amendment to the plan map; and
 - (b) Affected governmental units which may be impacted by or who have requested opportunity to review and comment on proposed amendments.

- 3. Within ten (10) days after the close of the public hearing, the City Council shall make findings of fact and adopt, adopt with changes, or deny the proposed amendments. Adoption is conditioned upon:
 - A. City adoption is final in the case of amendment of the plan map for the area within the city limits.
 - B. County adoption in the case of amendment of plan policies or the plan map for the urban growth area; and
 - C. County adoption and LCDC approval in the case of amendment of plan goals or urban growth boundary location.
- Copies of plan amendments adopted by the City shall be sent to Morrow County and the LCDC within ten (10) days after adoption.

APPROVED AND ADOTPED by the Lexington City Council on this 11th day of July, 1978.

Lee Palley Mayor

TEST:

City Recorder

Amendments to the Lexington Comprehensive Plan policies are incorporated herein and are hereby approved and adopted this 5th day of June, 1979.

Mayor

ATTEST:

City Recorder

BEFORE THE COUNTY COURT

FOR MORROW COUNTY

In Re the Adoption of the City of) Lexington Comprehensive Plan as an)	Ordinance No.	
Amendment to the Morrow County) Comprehensive Plan.)		

WHEREAS, the City of Lexington, 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 Morrow County, Oregon, and included within the Morrow County Comprehensive Plan, and

WHEREAS, the City of Lexington and Morrow County, on August 16, 1978, entered into an agreement known as the City of Lexington Urban Growth Area Joint Management Agreement, and

WHEREAS, a public hearing on the City of Lexington Comprehensive Plan was held before the Morrow County Planning Commission on July 31, 1978, and notice of the hearing was published in The Heppner Gazette on July 20, 1978, and

WHEREAS, a public hearing on this ordinance was held before the Morrow County Court on August 16, 1978, and notice of the hearing was published in The Heppner Gazette on August 3 and August 10, 1978.

The County Court for Morrow County, Oregon, hereby ordain as follows:

The Morrow County Comprehensive Plan, originally adopted in December, 1971, is amended to adopt the Comprehensive Plan for the City of Lexington, Oregon, for that land designated as being within the City of Lexington Urban Growth Boundary but outside corporate city limits as referenced and mapped in the City of Lexington Comprehensive Plan and as adopted by the Lexington City Council on July 11, 1978. The substantive provisions of the City of Lexington Subdivision and Zoning. Ordinances as agreed upon in the above mentioned Joint Management Agreement are also adopted by reference.

DATED this 16 day of lug, 1978.

MORROW COUNTY COURT

D. O. Nelson, Judge

Homer Hughes, Commissioner

Warren McCoy, Commissioner

County Clerk ATTEST:

BEFORE THE COUNTY COURT FOR MORROW COUNTY

In Re the Adoption of the Policies)		
Amending the City of Lexington)		
Comprehensive Plan as an Amendment)	Ordinance No. 27	
to the Morrow County Comprehensive)		
Plan)		

WHEREAS, the City of Lexington, Oregon, has adopted as part of its Comprehensive Plan amended policies which affect lenad outside corporate City limits but within its Urban Growth Boundary, and

WHEREAS, that land with the Urban Growth Boundary, is presently under the jurisdiction of Morrow County, Oregon, and included within the Morrow County Comprehensive Plan, and

WHEREAS, a public hearing on the amended City of Lexington Comprehensive Plan policies was held before the Morrow County Planning Commission on June 25, 1979, and notice of the hearing was published in The Heppner Gazette-Times and The East Oregonian on June 14 and June 21, 1979, and

WHEREAS, a public hearing on this ordinance was held before the Morrow County Court on June 27, 1979, and notice of the hearing was published in The Heppner Gazette-Times and The East Oregonian on June 14 and 21, 1979,

The County Court for Morrow County, Oregon, hereby ordains as follows:

The County Court for Morrow County Comprehensive Plan originally adopted in December, 1971, and amended to adopt the City of Lexington Comprehensive Plan for the Urban Growth on August 16, 1978, is further amended to adopt amended policies adopted by the Lexington City Council on June 5, 1979.

DATED this 27 day of June, 1979

MORROW COUNTY COURT

D. O. Nelson, Judge

Warren McCoy, Commissioner

Dorothy Krebs, Commissioner

ATTEST: County Clerk

•

Sadie Parrish

URBAN GROWTH AREA JOINT MANAGEMENT AGREEMENT

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

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

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

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

I. Introductory Information

- A. This Joint Management Agreement is the culmination of a series of actions intended, in part, to facilitate the orderly and efficient transition from rural to urbanizable to urban land uses within the urban growth area. Such actions include the preparation of a city comprehensive plan, the cooperative establishment of an urban growth area (see Attachments A, B-1, and B-2), coordination with affected governmental units, and county review of the city comprehensive plan.
- B. The City Council has adopted by ordinance a comprehensive plan which includes an urban growth boundary and planning goals, objectives, and policies (see Attachment A).

II. General Comprehensive Plan Provisions

- A. The County shall retain responsibility for land use decisions and actions affecting the City's urban growth area, such responsibility to be relinquished over any land within this area upon its annexation to the City subject to provisions of ORS 215.130(2)(a).
- B. The City's urban growth area has been identified as urbanizable and is considered to be available over time for urban expansion. In order to promote consistency between the City's planning effort and County land use decisions and actions affecting the urban growth area, the County shall incorporate that portion of the City's Comprehensive Plan which addresses the urban growth area into the County Comprehensive Plan.

- C. After the City's Comprehensive Plan has been reviewed by the County and after County concurrence with and approval of the Plan for the area within corporate city limits and adoption of the Plan for the urban growth area, all public sector actions which fall within the scope of the City's Comprehensive Plan shall be consistent with the Plan.
- D. Land within the urban growth area presently zoned for Agricultural Use shall remain in Agricultural Use until rezoning is requested, and such rezoning shall be consistent with the City's Comprehensive Plan.
- E. It is the policy of the City and County to maintain a rapid exchange of information relating to their respective land use decisions which affect the City's urban growth area.

III. Zoning and Subdivision Ordinances

- A. The Substantive, as opposed to procedural, portions of the City's

 Zoning and Subdivision'Ordinances (see Attachments C-1 and
 C-2) shall be incorporated by reference into and made a part of the
 County Zoning and Subdivision Ordinances with exceptions as necessary
 and as agreed upon in writing by both parties to this Joint Management
 Agreement no later than thirty (30) days after this agreement is signed
 by both the City and the County.
- B. For the purposes of this Joint Management Agreement:
 - Substantive provisions of a zoning ordinance shall be those sections of the ordinance which establish outright uses, conditional uses, and zone requirements (e.g., minimum lot sizes, setback requirements, etc.) and the zoning map; and
 - Substantive provisions of a subdivision ordinance shall be those sections of the ordinance which establish design standards for required improvements.
- C. The City Zoning Map, when adopted as part of the City Zoning Ordinance, shall include the urban growth area and shall:
 - 1. Apply to land within the city limits upon adoption by the City;
 - Apply to land within the urban growth area upon annexation to the City;
 - Be a recommendation to the County for rezoning all lands within the urban growth area where existing zoning is inconsistent with the City Comprehensive Plan by type of use allowed except;
 - a. Land zoned for Agricultural Use pursuant to Section II(D) above; and
 - b. Land may be rezoned to a lesser density or intensity of use (i.e., low-density versus medium-density residential).

- 4. After action is taken by the County pursuant to Section III(C)(3) above all subsequent rezoning by the County shall be consistent with the City Comprehensive Plan and Zoning Map except that:
 - a. Adequate findings for the need to rezone land shall be required, and:
 - Land may be rezoned to a lesser density or intensity of use (i.e., low-density versus medium-density residential).
- D. The above mentioned incorporated Ordinances shall only be applied to zone change, conditional use, variance, subdivision, major partition, minor partition, and outright use permit requests within or affecting the City's urban growth area.

VI. Referred Applications/Situations

- A. The County Planning Department shall refer each request affecting the City urban growth area to the City for its review and comment within three days of the date the request was filed with the County Planning Department.
- B. The City shall review the request and submit its recommendation to the County Planning Department within thirty (30) days of the date the request was received by the City.
- C. It is agreed that the County will refer any proposed discretionary action back to the city for its review and comment in the event such action was not addressed in the original request for review. The same time limitations imposed by Section IV A and B above shall be applicable.
- D. The County shall retain final decision-making responsibility for all land use actions affecting the City urban growth area, but such decisions shall only be made after the receipt of timely recommendations from the City.
- E. Should no recommendations be forthcoming within established response times, absent a request for an extension, the City shall be presumed to have no negative comment regarding the application.
- F. After the County makes a decision on the application, the City shall be promptly informed of the action taken by the County.

V. <u>City Services</u>

- A. The City may extend city services to any site or subdivision located within the City urban growth area at the affected property owner's request and expense. Such extension of city services to sites outside of the City's corporate limits shall be conditioned upon annexation, or upon an unlimited agreement signed by the affected property owner that the site may be annexed by City Council action as soon as the site becomes contiguous to the city, or upon discretionary action of the City Council.
- B. For the purposes of this Joint Management Agreement, expenses to be incurred by the affected property owner shall be in accordance with City Policy.

C. Services and hook-on charges shall be established by the City Council.

VI. Annexation

- A. Annexation of sites within the City urban growth area shall be in accordance with relevant annexation procedures contained in the Oregon Revised Statutes, Oregon case law, and City Ordinances (see Attachment E) and shall not occur until such sites become contiguous to the City as required by the Oregon Revised Statutes.
- B. For the purpose of this Joint Management Agreement, contiguous shall be defined as touching or adjoining, or adjacent to the City. If the area to be annexed is bordered by a county road, then the property must be contiguous to the corporate City Limits for a minimum distance of 100 feet.

VII. Roads

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

- A. The circumstances under which the City will assume ownership of and maintenance responsibility for County Roads within the corporate limits.
- B. The conditions under which new steeets and roads will be developed in conjunction with subdivisions within the City urban growth area.
- C. The conditions under which new public steeets and roads will be developed within the City urban growth area.
- D. The conditions under which existing roads designated as future arterials in the City Comprehensive Plan will be improved.
- E. See Attachments F-1 and F-2 for existing county roads within the corprate limits and the City urban growth area.

VIII. Appeals

- A. As the County retains responsibility for land use decisions and actions affecting the urban growth area, appeals from such decisions and actions shall be in accordance with the appeals process specified in the County Zoning or Subdivision Ordinances, applicable state statute or administrative rule.
- B. In the event that either the County Planning Commission or the County Court disagrees with the City comment and recommendation provided for in Section III of this Joint Management Agreement, the City shall have standing to appeal as provided in Section VIII A above.

Comprehensive Plan and Implementation Measure Review and Amendment IX.

- Α. The City Comprehensive Plan, including this Joint Management Agreement, and the zoning, subdivision, and other implementation ordinances or measures shall be reviewed at least annually to determine conformity with changes in:
 - Requirements of the City;
 - 2. Needs of residents or landowners within the City urban growth area;
 - Concerns of affected governmental units; and
 - 4. County administration of land use regulation within urban growth areas
- The City Comprehensive Plan, including this Joint Management Agreement, and the zoning, subdivision, and other implementation ordinances or measures shall be reviewed as the City Council determines necessary for conformity with changes in:
 - The Oregon Revised Statutes; 1.
 - Oregon Case Law;
 - Oregon Statewide Planning Goals;
- If the City Comprehensive Plan, implementation measures, or both fail to conform to any or all of the above-mentioned criteria, the non-conforming document shall be amended as soon as practicalbe. Such amendments shall be adopted:

Be a majority of both the full City Council and the County Court after recommendations have been received from the planning commission of the County.

Severability

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

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

executed this11thday of _July	, 19 <u>78</u> .
COUNTY COURT	CITY COUNCIL
Delivin O. nelson	Elwande Balon
House. Hugher	Willurg X South
Harm W Melay	Pat Whild
	Lee Calberg
	0

ATTACHMENTS

A *	City Comprehensive Plan Map (including growth area).
B-1 *	City ordinance adopting the City Comprehensive Plan, including the urban growth boundary.
B-2 *	County ordinance amending the City Comprehensive Plan by its adoption of the City Comprehensive Plan for the urban growth area.
C-1 *	Substantive portion of the City Zoning Ordinance (#79-1).
C-2 *	Substantive portion of the City Subdivision Ordinance ($\#$ 79-2).
D *	City ordinance relating to the extension of city services (#
E *	City ordinance relating to the annexation(none)
F-1 *	List of existing County roads within the City urban growth boundary.
F-2 *	Map of existing County roads within the City urban growth boundary.
*	
Amendm	ents to the Lexington Comprehensive Plan policies are incorporated in City
	nce No. $78-2$ and the Lexington Comprehensive Plan Technical Report and reby approved and co-adopted this 5th day of June, 1979.
are ne	reby approved and co-adopted this day or bune, 1979.
County	Court City Council
Alex	wer O. Welson Lee Sadying
	ment melay (parline Sopinear
Do	with Krebs wie & Sheinten Willard & South
	Ed in Sic. C. F.

CITY OF LEXINGTON

ZONING ORDINANCE NO. 79-1

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CITY OF LEXINGTON

ZONING ORDINANCE

An Ordinance Providing for the Establishment of Zoning Regulations for the City of Lexington, Oregon, and for the Repealing of Ordinance No. 79-1.

ARTICLE 1. INTRODUCTORY PROVISIONS

- 1.10 Title. This ordinance together with the zoning map attached hereto as Appendix A shall be known as the zoning ordinance of the City of Lexington, Oregon.
- 1.20 Purposes. This ordinance is enacted for the purpose of promoting the public health, safety, and welfare; to encourage the most appropriate use of property within the city; to stabilize and protect the value of property; to provide adequate light and air; to prevent overcrowding; to lessen traffic congestion; to facilitate adequate and economical provisions for public improvements, all to implement the comprehensive plan of the City of Lexington; to provide a method of administration and to prescribe penalties for violations of the provisions herein.
- 1.30 Scope. No structure or lot shall hereinafter be used or occupied, and no structure or part thereof shall be erected, moved, reconstructed, extended, enlarged or otherwise altered except as permitted by this ordinance.
- 1.40 Zones of Areas to be Annexed. Prior to the annexation of any land to the City of Lexington the City Council shall determine, by reference to the comprehensive plan, the appropriate zoning for the property to be annexed. The zoning of the property to be annexed shall be in accordance with the comprehensive plan.

1.50 Definitions.

- Accessory Use or Structure. A use or structure incidental and subordinate to the permitted main use of the property, located on the same lot with the main use. A home occupation is an accessory use.
- 2. Alley. A narrow street through a block primarily for vehicular access to the back of property otherwise abutting on another street.
- 3. <u>Billboard</u>. A sign which has a surface space upon which advertising may be posted, painted, or affixed and which is primarily designed for the rental or lease of such sign space for advertising not related to the use of the property upon which the sign exists.

- Building. Any structure having a roof intended for the support, shelter or enclosure of any persons, animals, property or business activity.
- 5. <u>Building permit</u>. A permit issued by the State of Oregon to construct, extend, or remodel a building.
- 6. Child Care Center or Foster Group Home. A dwelling unit which is licensed by the State of Oregon as a child care center or foster group home in which three or more children, under the age of eighteen and not related to the owner or occupant of the unit by blood, marriage or adoption, are cared for either part-time or full-time for a fee or charge paid by the parents or guardian of said children.
- 7. City. The City of Lexington, Oregon.
- City Council. The city council of the City of Lexington, Oregon.
- 9. Comprehensive Plan. The Comprehensive Plan of the City of Lexington, Oregon.
- 10. Conditional use. A use which requires a hearing before the city council. The council may attach conditions in approving the use to insure that the use is compatible with the Comprehensive Plan, the Zoning Ordinance, and the neighborhood and property where the use is proposed.
- 11. Domestic well. A water well for the use of humans.
- 12. <u>Dwelling unit</u>. One or more rooms designed for occupancy by one family, containing complete housekeeping facilities. For the purposes of this ordinance, dwelling unit includes mobile homes and modular homes, but does not include recreational vehicles.
- 13. <u>Dwelling, single-family</u>. A building containing one dwelling unit.
- 14. <u>Dwelling, two-family or duplex</u>. A building containing two dwelling units.
- 15. <u>Dwelling, multi-family</u>. A building containing three or more dwelling units.
- 16. <u>Family</u>. An individual or two or more persons related by marriage, blood, legal adoption or guardianship, and/or not more than three unrelated persons living together in one dwelling unit.

- 17. Farming, Farm use. The use of land for raising and harvesting crops, or for the feeding, breeding and management of livestock, or for dairying, or for any other agricultural or horticultural use, or any combination thereof, including disposal of such products by marketing or otherwise. Farming also includes the use and construction of buildings customarily used in the above activities.
- 18. Floor area. The total area of all floors of a building as measured to the outside surfaces of exterior walls, including halls, stairways, elevator shafts, attached porches and balconies, excluding open court yards and vent shafts.
- 19. Grade. The average elevation of the finished ground elevation at the centers of all walls of a building, except that if a wall is parallel to and within five feet of a sidewalk, the sidewalk elevation nearest the center of the wall shall constitute the ground elevation.
- 20. Height of building. The vertical distance from the grade to the highest point of the coping of a flat roof, to the deck line of a mansard roof, to the mean point between the eaves and highest gable of a pitched or hipped roof.
- 21. Home occupation. Accessory use of a dwelling, employing only the inhabitants of the dwelling, wherein the residential character of the dwelling is maintained. The occupation must be lawful and must be conducted in such manner that storage or display of merchandise, equipment or machinery is not visible from off the property on which the occupation is located, and the occupation may not infringe upon the right of neighboring residents to enjoy the peaceful occupation of their dwellings.
- 22. Junk yard. The use of more than 200 square feet of the area of any lot, or the use of any portion of that half of any lot (but not exceeding a depth or width, as the case may be, of 100 feet) which adjoins any street, for the storage, keeping or abandonment of junk, including scrap metals or other scrap material, or the use of any area for the dismantling, demolition, or abandonment of automobiles or other vehicles or machinery or parts thereof; provided, however, that this definition shall not be deemed to include uses conducted entirely within an enclosed building.
- 23. Kennel. Any premises, building, or structure in or on which four or more dogs or cats over the age of 3 months are kept.
- 24. Livestock feed yard. Any land or building used for the raising or keeping of more than six head of cattle or similar livestock for the purpose of conditioning same for market or slaughter.

- 25. Lot. A parcel of land having sufficient area to meet the minimum lot requirements in the zone in which it is located and having its principal frontage on, or permanent access to a street. 26. Lot area. The total area within the boundary lines of a lot. 27. Lot, corner. A lot with at least two adjacent sides abutting streets other than alleys, provided the angle of intersection of the adjacent streets does not exceed 135 degrees. Lot coverage. That portion of a lot occupied by the principal 28.
 - building and its accessory buildings, expressed as a percentage of the total lot area.
 - Lot depth. The horizontal distance from the midpoint of the front lot line to the midpoint of the rear lot line.
 - 30. Lot line. The boundary line of a lot.
 - 31. Lot, interior. A lot other than a corner lot.
 - 32. Lot line, front. The line separating the lot from the street other than an alley, or the nearest line to the public street. In the case of a corner lot, the shortest lot line along a street other than an alley.
 - 33. Lot line, rear. The lot line which is opposite and most distant from the front lot line.
 - 34. Lot line, side. Any lot line not a front or rear lot line.
 - 35. Lot width. The mean horizontal distance between the side lot lines, ordinarily measured parallel to the front lot line.
 - Mobile home. A structure designed or used for residential occupancy dependent upon external utility connections and built upon a frame or chassis to which wheels may be attached by which it may be moved upon a highway, irrespective of whether or not such structure has, at any given time, such wheels attached, or is supported upon posts, footings or a foundation.
 - Mobile home park. A place where four or more mobile homes are located within 500 feet of one another on a lot, tract or parcel of land under the same ownership, the primary purpose of which is to rent space or keep space for rent to any person for a charge or fee paid or to be paid for the rental or use of facilities or to offer space free in connection with securing the trade or patronage of such person.

- 38. Modular home. A sectional or factory built house built to meet the housing standards of Oregon Department of Commerce, designed to be affixed to real property on a permanent foundation.
- 39. Motel. A building or group of buildings on the same lot containing guest units with automobile storage or standing space provided in connection therewith and consisting of individual sleeping quarters, with or without cooking facilities, intended primarily for the accommodation of automobile travelers, including facilities designated as auto cabins, auto court, motor lodge, and the like, but not including "trailer park".
- 40. Nonconforming structure or use. A structure or use of a structure or land that does not conform to the regulations for the zone in which it is situated.
- 41. Parking space, automobile. A rectangle not less than 20 feet long and 9 feet wide accessible for use for the parking of one standard American automobile without the necessity of moving any other vehicle.
- 42. Person. Every natural person, firm, partnership, association, or corporation.
- 43. Property owner. The owner of record in the Morrow County
 Assessor's Office.
- 44. <u>Public use</u>. Building or use such as a city hall, fire station, city shop, school, community center, park, or similar uses.
- 45. Recreation vehicle. A vacation trailer or other vehicular or portable unit which is either self-propelled or toed or is carried by a motor vehicle, which is intended for human occupancy and is designed for vacation or recreation purposes but not residential use.
- 46. Recreation vehicle park. A lot which is operated on a fee or other basis as a place for the parking of occupied recreation vehicles.
- 47. <u>Semi-public use</u>. Building or use such as a church, hospital, sanitarium, rest home, nursing or convalescent home, utility structure, and similar uses.
- 48. <u>Sign</u>. An identification, description or device which directs attention to a product, place, activity, person, institution or business, and which is affixed to or represented upon a building, structure or land. Each display surface or a sign structure shall be considered a separate sign.

- 49. Sight obscuring fence. A solid fence or a slat fence at least six feet in height that completely obscures vision.
- 50. <u>Sight obscuring planting</u>. A dense perennial evergreen planting with sufficient foliage to obscure vision and which will reach an average height of at least six feet within thirty months after planting.
- 51. Story. That portion of a building between the upper surface of any floor and the upper surface of the floor next above, except that the top story shall be that portion between the upper surface of the highest floor and the ceiling above. A basement or cellar shall be considered a story if the finished floor level directly above is more than six feet above grade.
- 52. <u>Street</u>. A public right-of-way for the use of pedestrian or vehicular traffic. The street embraces the entire width between its outer property lines.
- 53. <u>Structure</u>. Anything constructed or erected which requires location on the ground or attachment to something having location on the ground.
- 54. <u>Use</u>. The purpose for which land or a building thereon is designed, arranged, or intended or for which it is or may be occupied or maintained.
- 55. Variance. A modification of the requirements of this ordinance when authorized by the Council after it finds that the literal application of the provisions of this ordinance would cause undue hardship in view of the certain facts and conditions applying to the specific parcel of property.
- 56. Yard. An open space on a lot which is unobstructed from the ground upward.
- 57. Yard, front. That yard lying between a building and a lot line which adjoins a street.
- 58. Yard, rear. That yard lying between the rear lot line and the rear of the building.
- 59. Yard, side. That yard lying between a building and a side lot line which does not adjoin a street.
- 60. <u>Urban growth area</u>. That land between the incorporated limits of the city and the Urban Growth Boundary.
- 61. <u>Urban Growth Boundary</u>. The Boundary designated in the City's Comprehensive Plan which identifies and separates urbanizable land from rural land.

- 62. Zone. A portion of the city within which certain uses of land and buildings are permitted and certain other uses of land and buildings are prohibited and within which certain other specifications are established, all as set forth and specified in this ordinance.
- 63. Zoning Map Amendment. A zone change is an amendment to the zoning designation of the Zoning Map of Lexington.
- 64. Zoning permit. A permit, signed by the Mayor of Lexington, approving a planned use and construction by an applicant.

ARTICLE 2. ESTABLISHMENT OF ZONES

2.10 Classification of Zones. For the purpose of this ordinance the following zones are hereby established.

	ZONE	DESIGNATIO					
1.	General Residential	R					
2.	Farm Residential	FR					
3.	Commercial	С					
4.	Light Industrial	М					

- 2.20 Zone Boundaries. Unless otherwise provided in this ordinance, zone boundaries are section lines, subdivision lines, lot lines, center lines of streets or railroad rights of way, or such lines extended.
- 2.30 Location of Zones. A zoning map showing boundaries of the zones as hereby established shall be adopted and made part of this ordinance and attached hereto as Appendix A. Said map and all notations, references or amendments thereto shall be and remain on file with the City Recorder.

ARTICLE 3. USE ZONES

- 3.10 Residential Zone, R. In an R zone the following uses and their accessory uses are permitted outright.
 - Single-family dwelling
 - 2. Mobile home
 - 3. Crop cultivation, truck gardening or plant nursery.

- 3.11 Conditional Uses Permitted in an R Zone. In an R zone the following uses and their accessory uses are permitted when authorized in accordance with Article 5 et. seq.
 - Multi-family dwelling
 - 2. Two-family dwelling
 - 3. Child care center or foster group home
 - 4. Mobile home park
 - 5. Public or semi-public use
 - 3.12 <u>Dimensional Standards in an R Zone</u>. In an R zone the following dimensional standards shall apply.
 - 1. The front yard shall be a minimum of 20 feet.
 - Each side yard shall be a minimum of ten feet, except that on a corner lot the side yard on the street side shall be a minimum of 20 feet.
 - 3. The rear yard shall be a minimum of 35 feet.
 - 4. The lot area shall be a minimum of 7,500 square feet and and shall exceed the minimum by 2,000 square feet for each dwelling unit over one.
 - The lot width at the front building line shall be a minimum of 62 feet.
 - 6. The lot depth shall be a minimum of 100 feet.
 - 7. Building height shall be a maximum of 25 feet.
 - 8. Not more than 30 percent of the lot area shall be covered by buildings.
 - The minimum street frontage shall be 62 feet except on a cul-de-sac where the minimum shall be 30 feet.
- 3.20 Farm Residential Zone, FR. In an FR zone the following uses and their accessory uses are permitted outright.
 - 1. Single-family dwelling
 - 2. Mobile home
 - Farming, not including intensive livestock or poultry operations such as a commercial feed lot or poultry plant.

- 3.21 Conditional Uses Permitted in an FR Zone. In an FR zone the following uses and their accessory uses are permitted when authorized in accordance with Article 5 et. seq.
 - 1. Mobile home
 - 2. Public or Semi-public use
 - 3. Child care center or foster group home
- 3.22 Dimensional Standards in an FR Zone. In an FR zone the following dimensional standards shall apply.
 - The front yard shall be a minimum of 20 feet.
 - Each side yard shall be a minimum of ten feet, except that on a corner lot the side yard on the street side shall be a minimum of 20 feet.
 - 3. The rear yard shall be a minimum of 35 feet.
 - 4. The lot area shall be a minimum of one acre.
 - The lot width at the front building line shall be a minimum of 150 feet.
 - 6. The lot depth shall be a minimum of 200 feet.
 - 7. Building height shall be a maximum of 25 feet.
 - Not more than 10 percent of the lot area shall be covered by buildings.
 - 9. The minimum street frontage shall be 50 feet.
- 3.23 <u>Limitations on Use</u>. In an FR zone, the following limitations and conditions shall apply:
 - The number of cows, horses, or similar livestock over the age of six months shall not exceed one for each 10,000 square feet of lot area.
 - The number of sheep, goats, or similar livestock over the age of six months shall not exceed one for each 5,000 square feet of lot area.
 - The number of fowl or rabbits over the age of six months shall not exceed one for each 250 square feet of lot area.

- 4. Any hog pen must be 200 feet from a residence not owned by the owner of the hog pen. No more than three hogs over the age of three months may be kept inside the city limits.
- Animals and fowl shall be properly restrained and not permitted to run at large.
- Structures housing livestock shall be set back at least 40 feet from any street.

Sale of products of the farm on the premises upon which such products are produced, including signs advertising the sale of such products, is permitted, but on each premises not more than two such signs having an area of not more than six square feet each are allowed.

- 3.30 Commercial Zone, C. In a C zone the following uses and their accessory uses are permitted outright.
 - 1. Retail or whole sale trade establishment
 - 2. Repair or maintenance establishment
 - 3. Eating or drinking establishment
 - 4. Office
 - 5. Financial institution
 - 6. Plant nursery
 - 7. Amusement establishment
 - 3.31 Conditional Uses Permitted in a C Zone. In a C zone the following uses and their accessory uses are permitted when authorized in accordance with Article 5 et. seq.
 - Single family dwelling
 - 2. Two-family dwelling
 - 3. Recreational vehicle park
 - 4. Veterinary clinic
 - 5. Multiple dwelling including hotel and motel
 - 6. Public or semi-public use

- 3.32 Dimensional Standards in a C Zone. In a C zone the following dimensional standards shall apply.
 - In a C zone the dimensional standards of the R zone apply to a lot or structure whose primary use is for a dwelling.
 - 2. The lot area shall be adequate to meet the needs of the establishment, the septic tank drainfield requirements of the Department of Environmental Quality, the requirements of the Oregon State Structural Specialty Code and Fire and Life Safety Code, the requirements of the City's fire zones and shall provide adequate space for parking and loading pursuant to Article 9 of this ordinance.
- 3.40 <u>Light Industrial Zone, M.</u> In an M zone the following uses and their accessory uses are permitted outright.
 - 1. Manufacturing, repairing, compounding, processing, and storage.
 - 2. Wholesale distributing facility or warehouse.
 - Farming, not including intensive livestock or poultry operations such as commercial feed lot or poultry plant.
 - 3.41 Conditional Uses Permitted in an M Zone. In an M zone the following uses and their accessory uses are permitted when authorized in accordance with Article 5 et. seq.
 - 1. Commercial livestock sales yard
 - 2. Commercial grain elevator
 - 3. Wrecking yard
 - 4. Public building or use such as a fire station or shop
 - 5. Utility structure
 - 6. Surface mining, rock crushing, asphalt plant
 - Any other industrial use except those uses which are designated as nuisance industries by the city council.
 - 8. Dwelling for use by caretaker or watchman.
 - 3.42 <u>Dimensional Standards in an M Zone</u>. In an M zone the following dimensional standards shall apply.

The lot area shall be adequate to meet the needs of the establishment, the septic tank drainfield requirements of

the Department of Environmental Quality, the requirements of the Oregon State Structural Specialty Code and Fire and Life Safety Code, the requirements of the City's fire zones and shall provide adequate space for parking and loading pursuant to Article 9 of this ordinance.

- 3.43 Limitations on Use. In an M zone, the following limitations and conditions shall apply.
 - A use which creates a nuisance because of noise, smoke, odor, dust, or gas is prohibited.
 - Materials shall be stored and grounds shall be maintained in a manner which will not attract or aid the propagation of insects or rodents or otherwise create a health hazard.
 - 3. Any use of property within 100 feet of a lot in a residential zone shall be subject to the review and approval of the City Council. The City Council may impose such limitations as may be required to reduce conflicts bebetween uses.
- 3.50 Permanent Open Space Zone, O. No permanent structures may be built. The following uses are permitted outright in a permanent open space zone.
 - 1. Farming, including crop cultivation, truck gardening or plant nursery enterprises and livestock grazing.
 - 2. Natural areas, including wildlife refuges.
 - 3. Outdoor recreational facilities.

No use shall be allowed which would create a hazard to public health, life, or property at the site or in a floodplain area either upstream or downstream from the site and in addition all uses must be in accordance with the U.S. Department of Housing and Urban Development's Federal Insurance Administration's flood plain regulations.

- 3.60 Additional Requirements.
 - 3.61 Clear Vision Areas. A clear vision area shall be maintained on the corners of all property at the intersection of two streets or a street and a railroad.
 - A clear vision area shall consist of a triangular area, two sides of which are lot lines measured from the corner intersection of the street lot lines for a distance specified in this regulation, or where the lot lines have

rounded corners, the lot lines extended in a straight line to a point of intersection and so measured, and the third side of which is a line across the corner of the lot joining the non-intersecting ends of the other two sides.

- 2. A clear vision area shall contain no planting, fence, wall, structure or temporary of permanent obstruction exceeding two and one-half feet in height, measured from the top of the curb or, where no curb exists, from the established street centerline grade, except that trees exceeding this height may be located in this area, provided all branches and foliage are removed to a height of eight feet above the grade.
- 3. The following measurements shall establish clear-vision areas:
 - a. In a residential zone, the minimum distance shall be 20 feet, or at intersections including an alley, 10 feet.
 - b. In all other zones where yards are required, the minimum distance shall be 20 feet, or at intersections including an alley ten feet, except that when the angle of intersection between streets other than an alley, is less than 30 degrees, the distance shall be 25 feet.
 - c. Where no yards are required, the minimum distance shall be as in (b) above and buildings may be constructed within the clear-vision area, providing that any portion of the structure within the clear-vision area is more than eight feet above the top of the curb or street centerline grade and is supported by not more than two columns not more than eight inches in diameter.
- 3.62 Ground Cover Requirements. Any property in an R, FR or C zone shall be planted with ground cover, trees and bushes or land-scaped so as to prevent any dust blowing from the property; such plantings shall be in place within six months after completion of the structure.

ARTICLE 4. NON-CONFORMING USES

4.10 Definition. A structure or use lawfully in existance 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.

4.20 Circumstances for Allowing a Non-conforming Use.

- 4.21 Continuation and Improvements. A non-conforming use may be continued although not in conformity with the regulations for the zone in which the use is located and improvements to the property or structure or both may be made when necessary to continue but not expand the use.
- 4.22 Changes and Alterations of Use. A non-conforming use or structure may not be replaced, changed, or altered to another use unless the change or alteration is to the same use classification as permitted in the ordinance, or to a classification that more nearly conforms to the regulations for the zone in which the use is located.
- 4.23 <u>Discontinuation of Use</u>. If the non-conforming use is discontinued for a period of one year further use of the property shall conform to this ordinance.
- 4.24 Destruction of Structure. If a non conforming structure or a structure containing non-conforming use is destroyed by any casue to an extent exceeding 80 percent of its valuation as determined by the County Assessor the non-conforming use or structure shall not be reestablished. A future structure or use on the site shall conform to this ordinance.
- 4.25 Pre-existing Permits. Nothing contained in this ordinance shall require any change in the plans, contruction, alteration or designated use of a structure for which a permit has been issued or approved 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 was issued.

ARTICLE 5. CONDITIONAL USES

- 5.10 Authorization to Grant or Deny Conditional Uses. A conditional use listed in this ordinanace shall be permitted, altered or denied in accordance with the standards and procedures of this article. In the case of a use existing prior to the effective date of this ordinance and classified in this ordinance as a conditional use. A conditional use shall be approved by the City Council, if the following criteria are either met, can be met by observance of conditions, or are not applicable.
 - The use will be consistent with the comprehensive plan and the objectives of the zoning ordinance and other applicable policies of the city.
 - Taking into account location, size, design, and operating characteristics, the use shall not unreasonably interfere with continuation of existing outright uses of the zone.

- The location and design of the site and structures for the use will be as attractive as the nature of the use its setting warrents.
- 4. The design shall retain trees or other natural or manmade features which provide recreational assets, shade or windbreak resources, a measure of safety to city residents such as special lighting or fencing, features of historical significance.
- 5. The use will not have a significant adverse impact on public facilities, such as traffic generated by the use surpassing the capacity of the street serving the area.
- use or the alteration of an existing conditional use, the City Council may impose conditions which it finds necessary and reasonable to minimize conflict between the proposed use and existing uses or uses permitted outright. These conditions may include the following:
 - Limiting the manner in which the use is conducted, including restricting the time an activity may take place and restraints to minimize such environmental effects as noise, vibration, air pollution, glare and odor.
 - Establishing a special yard or other open space or lot area or dimension.
 - Limiting the height, size or location of a building or other structure.
 - Designating the size, number, location and nature of vehicle access points and off street parking spaces.
 - Increasing the amount of street dedication, roadway width or improvement within the street right-of-way.
 - Designating the size, location, screening, drainage, surfacing or other improvement of a parking area or truck loading area.

- 7. Limiting or otherwise designating the number, size, location, height and lighting of signs.
- 8. Limiting the location and intensity of outdoor lighting and requiring its shielding.
- Requiring diking, screening, landscaping or another facility to protect adjacent or nearby property and designating standards for its installation and maintenance.
- 10. Designating the size, height, location and materials for a fence.
- Protecting and preserving existing trees, vegetation, water resources, wildlife habitat or another significant natural resource.
- 12. Imposing other conditions to permit the development of the city in conformity with the intent and purpose of the conditional classification of uses.

5.30 Application for a Conditional Use

- 1. A request for a conditional use or modification of an existing conditional use may be initiated by a property owner or the authorized agent of the owner by filing an application with the City Recorder in accordance with Article 12. In addition to the requirements of Article 12 the applicant must show that the proposed conditional use reasonably meets the need recognized by the ordinance.
- 2. In addition to filing an application the City Council may require the applicant to post bond up to the amount of the cost of meeting conditions and standards specified by this ordinance or the City Council. The bond shall be returned upon proof by the applicant that the conditions and standards have been met. If conditions and standards required are not met within one year, the bond shall be forfeit and the city may institute proceedings under Article 13 of this ordinance.
- 5.40 Procedure for Taking Action on a Conditional Use Application. The procedure for taking action on a conditional use application shall be as follows.
 - 5.41 Public Hearing Requirements. Before the City Council may act on an application for conditional use a public hearing shall be held as provided in Article 12.
 - 5.42 Application Review. Upon receipt of the application the city recorder shall provide information concerning the application material to the City Council members.

- 5.43 Notice to Applicant of Action Taken. Following the close of the hearing the City Recorder shall provide the applicant with written notice of the action taken as provided in Article 12.
- 5.50 Time Limit on a Permit for a Conditional Use. Authorization of a conditional use shall be void after one year or such time as the authorization may specify unless all requirements of this ordinance and of the City Council have been met. The City Council may extend such authorization for a period not to exceed one additional year.
- 5.60 Time Limit on Reapplication. No application for a conditional use permit shall be considered by the City Council within one year of the denial of the request, unless in the opinion of the City Council new evidence or a change of circumstances warrant it.

ARTICLE 6. VARIANCES

- 6.10 Authorization to Grant or Deny Variances. The City Council may authorize variances from the requirements of this ordinance where it can be shown that owing to special and unusual circumstances relating to a specific piece of property, strict application of the ordinance would cause an undue or unnecessary hardship. No variance shall be granted to allow the use of the property for a purpose not authorized within the zone in which the proposed use would be located. In granting variances, the City Council may attach conditions which it finds necessary to protect the best interests of the surrounding property or vicinity and otherwise achieve the purpose of this ordinance.
- 6.20 Circumstances for Granting a Variance. A variance may be granted only in the event that ALL of the following circumstances exist:
 - Exceptional or extraordinary circumstances apply to the property which do not apply generally to other properties in the same zone or vicinity, and which result from lot size or shape, topography, or other circumstances over which the owner of the property, since the enactment of this ordinance, has 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 zone or vicinity possess.
 - 3. There is a public need for the purpose to be achieved by the variance.
 - 4. The public need is reasonably met by the variance.

- 5. 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, and the variance is in compliance with and is not a deviation from the comprehensive plan for the city.
- 6. The variance requested is the minimum variance which would alleviate the hardship.
- 6.30 Procedure for Taking Action on a Variance Application. 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 as provided in Article 12.
 - Before the City Council may act on a variance application, it shall hold a public hearing thereon, following the procedure prescribed in Article 12.
- 6.40 Time Limit on a Permit for a Variance. Authorization for a variance shall be void after one year unless substantial construction has taken place. However the City Council may extend authorization for a period not to exceed one additional year on request.

ARTICLE 7. MOBILE HOME REGULATIONS

- 7.10 General Requirements for Siting Mobile Homes.
 - 7.11 Dimensions. Mobile homes sited on individual lots shall be at least 8 feet in width and 30 feet in length or shall have at least 240 square feet of floor area.
 - 7.12 Insigne of Compliance. The mobile home shall have the Oregon
 "Insigne of Compliance" as provided for by ORS 446.170. However, upon submission of evidence indicating substantial compliance with the standards required for an "Insigne of Compliance",
 the city may waive the "Insigne of Compliance" requirement for
 units manufactured prior to September 1969.
 - 7.13 Ownership. The owner of a lot upon which a mobile home is located shall agree in writing prior to installation, that if the mobile home is removed from its foundation, the lot owner shall remove the foundation and all additions to the home and disconnect and secure all utilities and shall disconnect and secure water and sewer lines at ground level. This agreement shall authorize the city to perform the work above described and place a lien against the property for the cost of the work in the event the owner fails to accomplish the work within 6 months from the date the mobile home is removed. This condition shall not apply in the event that another mobile home is placed on the original foundation within 6 months of the removal of the original mobile home.

7.20 Installation Requirements.

- 7.21 Stand Requirement. The mobile home shall be situated on a stand, which has been improved to allow adequate drainage, constructed on soil with a minimum bearing capacity of 1,500 pounds per square foot.
- 7.22 Installation and Tie-down Requirements. The mobile home shall be installed, tied down and anchored in accordance with rules established by the Oregon Department of Commerce, or in accordance with the instructions of the manufacturer which have been approved by the Department of Commerce. Such requirements must be met within 30 days after the mobile home has been placed on the lot.
- 7.23 Footings or Foundation Requirements. The mobile home shall be installed in accordance with one of the following methods.
 - The mobile home shall be placed upon pieces and footings in accordance with state approved instructions provided by the manufacturer.
 - The mobile home shall be placed on a cement or concrete block foundation, in accordance with Department of Commerce Regulations and accepted engineering standards.
- 7.24 Tongue Removal. The tongue of the mobile home shall be removed if detachable.
- 7.25 Skirting.

 Continuous, the unit shall have a continuous skirting of non-decaying, non-corroding material extending at least six inches into the ground or extending to an impervious surface. The skirting or continuous foundation shall have openings which shall be secured against entry of animals under the mobile home.

ARTICLE 8. (RESERVED FOR PLANNED UNIT DEVELOPMENT)

ARTICLE 9. OFF STREET PARKING AND LOADING

9.10 General Provisions.

- 9.11 Provision of Facilities. At the time of erection of a new structure, or at the time of enlargement or change of use of an existing structure; off-street parking and loading shall be provided as specified in this section, unless greater requirements are otherwise established.
- 9.12 Parking Space Maintenance. The provision and maintenance of off-street parking and loading spaces are continuing obligations of the property owner. No building or other permit

shall be issued until plans are presented to the city that show property that is and will remain available for exclusive use as off-street parking and loading space. The subsequent use of the property shall be conditional upon the continuing availability of the amount of parking and loading space required by this ordinance.

- 9.13 Total Requirements. If several uses occupy a single structure or parcel of land, the total requirements for off-street parking shall be the sum of the requirements of the several uses computed separately.
- 9.14 Parking Space Location. Required parking spaces shall be located not more than 500 feet from the building or use they serve.
- 9.15 Parking Space Use. Required parking spaces shall be available for the parking of passenger automobiles of customers and employees only, and shall not be used for storage of materials or the parking of trucks used in conducting the business or use.
- 9.20 Off Street Parking Specifications. Where floor area is specified, that area shall be gross floor area of the structure exclusive of any area devoted to off-street parking or loading. Where the number of employees is used to determine parking requirements, persons counted shall be those intended to be working on the premises, including proprietors during the largest shift in peak season. Fractional requirements shall be counted as a whole space.
 - 9.20 Parking Spaces are required as follows:

USE

Residential

Parking for trucks used in a business shall be provided on the residential lot. One or two family dwellings Multi-family dwellings

Hotel or Motel

Institutional
Hospital
Nursing home, home for aged
Preschool or kindergarten
Elementary or junior high
school

Theater, Auditorium, church, stadium or other assembly area

High School

STANDARD

2 spaces per dwelling unit. 2 spaces per dwelling unit and 1 bicycle space per two dwelling 1 space per dwelling unit

1 space per two beds
1 space per two beds
2 spaces per teacher

1 space per classroom plus 1 space per administrative employee and 1 bicycle spaper four students.

1 space for each four seats or if not fixed seats than 1 space for each 72 square of floor area.

6 spaces per classroom plus 1 space for each employee at 1 bicycle space per four 5

STANDARD

Clubs or Meeting Halls

1 space per 100 square feet of floor area.

Commercial

Parking for trucks and machinery used in a business shall be provided on the commercial lot. Retail stores

1 space per 200 square feet of floor area plus 1 space per 2 employees and 1 bicycle space per 600 feet of floor area.

Service or repair shop

Doctors and dentists (medical and dental clinics)

Bank or professional office offices (except medical or dental) Eating or drinking establishments

Bowling alley

1 space per 600 square feet of floor area plus 1 space per 2 employees.

1 space per 300 square feet of floor area and 1 space per employee.

1 space per 300 square feet of floor area plus 1 space per employee.

1 space per 200 square feet of floor area plus 1 space per 2 employees.

3 spaces per lane plus 1 space per employee.

Industrial

Parking for trucks and machinery used in a business
shall be provided on the
industrial lot.
Storage warehouse, manufacturing
establishments, freight
terminal, food processing.
Wholesale establishment

1 space per employee

1 space per employee plus 1 space per 700 square feet of patron serving area.

- 9.22 School Bus Loading Areas. Each school having a capacity of over twenty-five pupils shall have a driveway designed for a continuous forward flow of passenger vehicles for the purpose of loading and unloading children.
- 9.23 Residential Parking. In a residential area no parking shall be allowed in the front yards of the dwelling units other than on a driveway. Parking space must be on the same lot as the dwelling unit.

- Bicycle spaces shall be racks anchored so that they cannot be easily removed. Racks shall be designed so that at least one wheel and the frame of a bicycle can be locked securely to it with a heavy chain, cable or padlock. Bicycle racks shall be clearly labeled as available for bicycles and shall be located to be at least as convenient as the most convenient car parking, and as close to the desired entrances as possible without interfering with pedestrian traffic. Bicycle and auto parking areas should be separated by some form of barrier to eliminate the possibility of a bike being hit by a car.
- 9.30 Joint Parking. Owners of two or more uses, structures or parcels of land may agree to utilize jointly the same parking and loading spaces when the hours of operation do not overlap, providing that the owners present to the City Council legal evidence of such arrangement in the form of a lease, deed or contract.
- 9.40 Off-street Loading. Any off-street loading other than schools shall be located such that there is no interference with traffic on any street other than an alley.
- 9.50 Nonlisted Uses. Requirements for types of buildings and uses not specifically listed herein shall be determined by the City Council, based upon the requirements of comparable uses listed.
- 9.60 Surfacing. All off-street parking spaces and driveways, except those for single family residences, shall be hard surfaced with concrete, asphalt, cement, oil mat or similar surface which is resistant to dust and mud. Type and thickness of this hard surface must be approved by the City Council. The City Council may approve the use of gravel for temporary or permanent use.
- 9.70 Access. Groups of more than four off-street parking spaces shall be served by a driveway or aisle so that no backing movements or other maneuvering within a street other than an alley will be required. Driveways or aisles shall be clearly and permanently marked and defined through the use of bumper rails, fences, painting, walls or other appropriate markers and shall not be considered as parking spaces.

ARTICLE 10. SIGNS

10.10 Sign Requirements

- 10.11 Residential Zone Requirements. In a residential zone the following regulations shall apply.
 - No sign shall be illuminated in any manner.
 - One name plate or home occupation sign shall be allowed and shall not exceed four square feet in area.

- 3. One sign shall be allowed per lot advertising the property for sale, lease or rent and the sign shall not exceed six square feet. A "for sale" sign shall not be allowed to remain on the property after the property is sold.
- 4. One sign shall be allowed per subdivision advertising lots or homes for sale. Such sign shall not exceed fifty square feet in area and shall be set back at least twenty feet from the nearest street.

10.12 Commercial Zone Requirements. In a commercial zone the following regulations shall apply.

- Signs shall be set back at least ten feet from any residential property.
- 2. Moving or flashing signs are prohibited.
- Total area of all signs shall not exceed one square foot per 100 square feet of the building's ground floor area.
- No sign shall project above the roof edge of the building containing the business which the sign identifies.
- Signs visible from residential properties shall be shielded or directed so as not to constitute a nuisance to residential property owners and shall not interfere with, confuse, or mislead a vehicle operator.
- 10.13 Industrial Zone Requirements. In an industrial zone the regulations shall apply.
 - Signs shall be set back at least ten feet from any residential property.
 - 2. Moving or flashing signs are prohibited.
 - 3. Signs visible from residential properties shall be shielded or directed so as not to constitute a nuisance to residential property owners and shall not interfere with, confuse, or mislead a vehicle operator.

ARTICLE 11. SUPPLEMENTARY PROVISIONS

11.10 Exceptions.

11.11 Projections from Buildings. Cornices, eaves, canopies, sunshades, gutters, chimneys, flues and other architectural features may project not more than two feet into a required yard (or setback) as established by this ordinance.

- 11.12 Height Exceptions. The following types of structures or structural parts are not subject to the building height limitations of this ordinance: chimneys, church spires, belfries, radio and television antennae, flagpoles, smoke stacks and other similar projections.
- 11.20 Accessory Uses and Facilities. Accessory uses and facilities shall be permitted in any district when incidental to and associated with a permitted use or facility, or when incidental to and associated with an allowable and authorized conditional use therein, subject to the provisions of this section.
 - 11.21 Accessory Uses and Facilities. Accessory uses and facilities shall meet the following requirements.
 - Shall be subordinate to the primary activity of the principal use or the principal facility, respectively.
 - Shall contribute to the comfort, convenience, efficiency, or necessity of the occupants or the activities of a principal use, or the function of a principal structure.
 - Shall be located on the same site as the principal use or structure served.
 - 4. Shall not violate setback requirements or maximum lot coverage standards provided for in Article 3.
 - 11.22 Accessory uses and facilities include, but are not limited to, the following examples.
 - 1. A home occupation is an accessory use in a residence.
 - 2. A residence is an accessory use in a business.
 - 11.23 Continuation of Allowable Accessory Use. No use or facility permitted as an accessory use or facility pursuant to this section shall be construed to be permitted as a principal use or facility unless specifically authorized as a permitted or conditional use in the district in which it shall be located. Operation, occupancy, and continuance of allowable accessory uses and facilities shall be conditional upon the continued occupancy or use of the principal use or facility being served.

11.30 Pets.

 The keeping, in connnection with each permitted dwelling, of not to exceed a total of three dogs exclusive of animals under the age of three months, and exclusive of other pets which at all times are kept within a fully enclosed building and which do not create odor or sound which is detectable on an adjoining lot, is permitted. The keeping of wild or exotic animals, including snakes, is permitted if confined and any necessary permits must be obtained from the Oregon Fish and Wildlife Commission.

11.40 Water source.

A dwelling unit or other structure intended for human occupancy or use must be connected to the Lexington municipal water system rather than to a privately-owned domestic well, unless exampted by the Council.

ARTICLE 12. ADMINISTRATIVE PROVISIONS

12.10 Form of Petitions, Applications and Appeals. Petitions, applications and appeals provided for in this ordinance shall be made by written application to the city. Applications shall be accompanied by plans and specifications, drawn to scale, showing actual shape and dimensions of the lot to be built upon; the size and locations of existing and proposed structures; the intended use of such structures; the number of families, if any, to be accommodated thereon; the relationship of the lot to the surrounding property; the legal description of the lot; the location of any off-street parking; the names and addresses of owners of property within 500 feet of the exterior boundaries of the lot; and such other information as is needed to determine conformance with this ordinance. Applications shall be accompanied by a filing fee in an amount established by the city council.

12.20 Notice of Public Hearings.

- 12.21 Published and Posted Public Notice. Notice of public hearing on a proposed application, petition, amendment to the text of this ordinance or appeal shall be published in a newspaper of general circulation in the city at least 10 days prior to the date of the hearing. In the alternative, if there is no newspaper of general circulation, each notice of hearing authorized by this ordinance shall be posted in at least two conspicuous places within the city continuously beginning at least 10 days prior to the date of the hearing.
- 12.22 First Class Mailed Notice. In addition, a notice of a hearing on a conditional use, a variance or an amendment to the zoning map which would change boundaries, classification or uses shall be sent by first class mail to owners of property within 500 feet of the property for which the conditional use, variance or amendment has been requested. Such notice shall be mailed at least 10 days prior to the date of the hearing.
- 12.23 Failure to Receive Notice. Failure of a person to receive notice as prescribed in this article shall not impair the validity of the hearing.

- 12.24 Purpose of Public Hearing. The hearing shall allow interested property owners the opportunity to be heard and to present and rebut evidence.
- 12.25 Recess of Hearing. 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.
- 12.26 Notice to Applicant of Action. Within ten days following the close of a hearing the city recorder shall provide the applicant with a written notice of the City Council's action on the application, the findings of fact on which the action is based, and any conditions imposed, signed by the mayor and city recorder.
- 12.30 Application for Building/Mobile Home Zoning Signoff. No permit shall be approved by the city for the construction, reconstruction, alteration or change of use of a structure or lot that does not conform to the requirements of this ordinance. If the proposed construction, reconstruction, alteration or change of use of a structure or lot meets the requirements of this ordinance, the mayor is authorized to approve and sign the zoning permit. At the mayor's discretion, he may refer any zoning permit to the City Council for their review and recommendation.
- 12.40 Temporary Use Permits. The City Council may issue a temporary use permit to allow the short term use of a site by a mobile or temporary structure or activity. Such structures or activities may not be ordinarily allowed in the particular zone, but are necessary for some useful purpose, and, because of the temporary nature, will not adversely impact the neighborhood or city. The City Council may require that certain measures be taken to protect neighboring uses or the city as a whole. Application for a temporary use permit shall be made on forms provided by the city. Temporary use permits may be granted for any period of time up to one year, subject to renewal if necessary.
- 12.50 Appeal. An action or ruling of the City Council authorized by this ordinance may be appealed to the Morrow County Court within 15 days after the commission has mailed notice of its decision by filing written notice with the city recorder. If no appeal is taken within the 15 day period, the decision of the City Council is final.

12.60 Amendments.

12.51 Authorization to Initiate Amendments. An amendment to the text of this ordinance or to a zone boundary may be initiated by the city council, an affected governmental unit, or by application

of a property owner. The request by a property owner for an amendment shall be accomplished by filing an application with the city recorder.

- 12.52 Public Hearings on a Proposed Amendment. A public hearing shall be held by the City Council with the public notice given as provided in Article 12.20, on any proposed amendment to the zoning ordinance, at its earliest practicable meeting after the amendment is proposed. The City Council shall, within 40 days after the hearing, approve, disapprove or conditionally approve the proposed amendment.
- 12.53 Record of Amendments. The city shall maintain a record of amendments to the text and maps of this ordinance in a form convenient for use by the public.
- 12.54 <u>Limitation on Reapplications</u>. No application of a property owner for an amendment to the text of this ordinance or to a zone boundary shall be considered by the City Council within the one-year period immediately following a previous denial of such request, except the City Council may permit a new application if in the opinion of the City Council new evidence or a change of circumstances warrants it.

ARTICLE 13. INTERPRETATION AND ENFORCEMENT

- 13.10 Interpretation. Words used in the present tense include the future, the singular form includes the plural, the plural includes the singular. Where a provision of this ordinance is less restrictive than a provision of another ordinance or requirement of the city, the provision which is more restrictive shall govern.
- 13.20 Authorization of Similar Uses. The City Council may rule that a use not specifically listed among the allowed uses in a zone shall be permitted as an allowed use, if it is similar to the allowed uses in the zone, if its effect on adjacent properties is substantially the same as that of allowed uses, and if it is not specifically listed as an allowed use in another zone.
- 13.30 Penalty. A person violating a provision of this ordinance shall, upon conviction, be punished by imprisonment for not more than 10 days, or by a fine of not more than \$1,000.00. A violation of this ordinance shall be considered a separate offense for each day that the violation continues.

In the alternative, where a use exists or is proposed to be located, constructed, repaired, altered or used in violation of this ordinance the city may institute injunction, abatement or other appropriate proceedings to prevent, abate or remove such use.

13.40 Severability. The provisions of this ordinance are severable.

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

APPROVED THIS	51%	DAY OF _	June-	1979.
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*				
			2000	7
			Lee Tool	beig
		Mayor		1

ATTEST:

City Recorder ally

Ordinance No. 79-2

City of Lexington, Oregon SUBDIVISION ORDINANCE

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Ordinance No. 79-2

City of Lexington, Oregon

SECTION 1. GENERAL PROVISIONS

- 1.1 Title. These regulations shall hereafter be known, cited and referred to as the Subdivision Regulations of the City of Lexington, Oregon.
- 1.2 Purposes. The purpose of this ordinance is to provide for the public health, safety and general welfare of the people of the City by establishing uniform procedures and standards for the partitioning and subdividing of land within the City. These regulations are necessary to:
 - guide the future development of the City in accordance with the Comprehensive Plan;
 - (2) insure that public facilities, including but not limited to sanitation systems, water supply systems, streets and fire protection, are adequate to serve the subdivided or partitioned area; and
 - (3) protect and conserve land throughout the City by providing for its most beneficial use and enhancement of the quality of the environment.
- 1.3 Authority. By authority of ordinance of the Council of the City adopted pursuant to the powers and jurisdiction vested by Oregon Revised Statutes, Chapter 92, and other applicable laws of the State of Oregon, the City shall review, approve and disapprove plans, plats, and maps for the subdivision and partitioning of land within the corporate limits of the City.

1.4 Jurisdiction.

- These subdivision regulations shall apply to all subdivision and partition of lands, as defined herein, located within the corporate limits of the City.
- (2) The City shall review and comment on plans, plats, or maps for subdivisions or partitions beyond the corporate limits of the City and within the urban growth boundary.
- 1.5 Enactment. In order that land may be subdivided and partitioned in accordance with these purposes and policy, these regulations are hereby adopted.

- 1.6 Severability. Where any word, phrase, clause, sentence, paragraph or section, or other part of these regulations is held invalid by court of competent jurisdiction, this judgment shall affect only that part held invalid, and shall not impair the validity of the remainder of these regulations.
- 1.7 Amendments. An amendment to this ordinance may be initiated by the City Council, an affected governmental unit, or by application of a property owner or resident in the City. The procedure to be followed for adoption of the proposed amendment shall be that prescribed by ORS 92.048.

1.8 Variances.

- (1) The City Council may authorize variances, with conditions, to the requirements of this ordinance. Application for a variance shall be made by a petition of the land divider, stating fully the grounds of the application and the facts relied upon by the petitioner. The petition shall be filed with the tentative plan or map. A variance may be granted only in the event that all of the following circumstances exist:
 - (a) Exceptional or extraordinary circumstances apply to the property which do not apply generally to other properties in the same vicinity, and result from tract size or shape, topography or other circumstances over which the owners of property have no control;
 - (b) The variance is necessary for the preservation of a property right of the applicant substantially the same as possessed by owners of other property in the same vicinity; and
 - (c) The variance would not be materially detrimental to the purposes of this Ordinance, or to property in the same vicinity in which the property is located or otherwise conflict with the Comprehensive Plan.
- (2) In granting or denying a variance, the City Council shall make a written record of its findings and the facts in connection therewith, and shall describe the variance granted and the conditions designated. The City shall keep the findings on file as a matter of public record.
- 1.9 Exceptions in Case of a Planned Unit Development.
 (Reserved for Planned Unit Development)
- 1.10 Appeal. A person may appeal to the City Council from any decision or requirement made by the City Engineer pursuant to this ordinance.

 Written notice of the appeal must be filed with the City within thirty

(30) days after the decision or requirement is made in the case of subdivision or major partition and ten (10) days in the case of a minor partition, pursuant to ORS 92.044 (2) and 92.046 (3).

1.11 Violation and Penalties.

- (1) Every final subdivision plat and partition map must be approved pursuant to this ordinance and the provisions of Chapter 92, Oregon Revised Statutes, before title to the subdivided land can be sold contrary to the provisions of this Ordinance, the City Attorney shall commence action to enjoin further sales or transfers and to compel compliance with its provisions. The costs of maintaining this suit shall be imposed against the person transferring or selling the property to be subdivided or partitioned.
- (2) In addition to penalties provided by state law, any person violating or failing to comply with a provision of this Ordinance shall, upon conviction thereof, be punished by a fine of not more than \$500.00 or by imprisonment for not more than 100 days, or both. Every sale or transfer of a parcel of land in violation of this Ordinance shall be deemed a separate and distinct offense. In addition, the City will not give zoning approval on any application for a building permit to be issued by the State of Oregon as to any piece of property owned by a person in violation of the provisions of this Ordinance.

1.12 Schedule of Fees.

- (1) Any application or submission required by this Ordinance shall be accompanied by a filing fee based on the fee schedule adopted by the City Council.
- (2) No application required by this Ordinance shall be accepted unless accompanied by all applicable fees.

1.13 Definitions. As used in this Ordinance, the following words and phrases shall mean:

(1) APPROVAL.

- (a) TENTATIVE: The official action taken by the City Council after a public hearing on the proposed subdivision or partition.
- (b) FINAL: The final official action taken by the City Council on the proposed subdivision or partition which had previously received tentative approval.
- (2) BUILDING LINE. A line on a plat or map indicating the limit beyond which buildings or structures may not be erected subject to setback requirements in the City's Zoning Ordinance.
- (3) CITY. The City of Lexington, Oregon.

- (4) CITY ENGINEER. A registered professional engineer as defined by ORS 672.002 (6), who is legally contracted to represent the City.
- (5) COMPREHENSIVE PLAN. A generalized, coordinated land use map and policy statement of the City that interrelates all functional and natural systems and activities relating to the use of land, and adopted pursuant to ORS 197.
- (6) DEDICATION. A deliberate appropriation of land by its owner for some public use and accepted for such use by or on behalf of the public.
- (7) EASEMENT. The right of a person to go onto the land in possession of another for a specific purpose or purposes.
- (8) LOT. A unit of land that is created by a subdivision of land.
 - (a) CORNER LOT. A lot situated at the intersection of two streets, provided the interior angle of such intersections does not exceed 135°.
 - (b) REVERSED CORNER LOT. A corner lot, the side street line of which is substantially a continuation of the front line of the first lot to its rear.
 - (c) THROUGH LOT. A lot having frontage on two parallel or approximately parallel streets other than alleys.

(9) LOT LINE.

- (a) LOT FRONT LINE. The line abutting a street. For corner lots the front line is that with the narrowest street frontage. For double frontage lots the lot front line is that having frontage on a street which is so designated by the developer and approved as part of a final plat or map as provided for in this Ordinance.
- (b) LOT REAR LINE. The lot line that is opposite to and most distant from the front lot line.
- (c) LOT SIDE LINE. Any lot line that is not a lot front or rear line.
- (10) MAP, PARTITION. A final diagram, drawing or other writing containing all the descriptions, locations, specifications, dedications, provisions and information required by this Ordinance concerning a partition.
- (11) PARCEL. A unit of land that is created by a partitioning of land.
- (12) PARTITION. An area or tract of land divided into two or three parcels within a calendar year, when this area or tract of land exists as a unit or contiguous units of land under a single ownership at the beginning of that year.

- (a) MAJOR PARTITION. A partition which includes the creation of a street.
- (b) MINOR PARTITION. A partition that does not include the creation of a street, but which is subject to approval of the City under this Ordinance.
- (13) PARTITION LAND. To divide an area or tract of land into two (2) or three (3) parcels within a calendar year when such area or tract of land exists as a unit or contiguous units of land under a single ownership at the beginning of that year. "Partition land" does not include:
 - (a) divisions of land resulting from lien foreclosures,
 - (b) divisions of land resulting from the creation of cemetery lots,
 - (c) divisions of land made pursuant to a court order, including but not limited to court orders in proceedings involving testate and intestate succession, or
 - (d) any adjustment of a lot line by the 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 standards of the Zoning Ordinance.
- (14) PEDESTRIAN WAY. A right-of-way for pedestrian traffic.
- (15) PERSON. A natural person, firm, partnership, association, social or fraternal organization, corporation, trust, estate, receiver, syndicate, branch of government, or any other group or combination acting as a unit.
- (16) PLAT, SUBDIVISION. The final map, diagram, drawing, replat or other writing containing all the descriptions, location, specifications, dedications, provisions and information required by this Ordinance concerning a subdivision.
- (17) RIGHT-OF-WAY. A strip of land occupied or intended to be occupied by a street, crosswalk, railroad, road, electric transmission line, water main, oil or gas pipeline, sanitary or sewer main, shade trees, or by another special use.
- (18) ROADWAY. The portion of a street right-of-way developed for vehicular traffic.
- (19) SIDEWALK. A pedestrian walkway with permanent surfacing.
- (20) SKETCH PLAN. A sketch preparatory to the preparation of the tentative subdivision plan to enable the subdivider to same time and expense in reaching general agreement with the City as to the form of the plan and the objectives of these regulations.

- (21) STREET. A public or private right-of-way for the use of pedestrian or vehicular traffic, including the terms "road", "highway", "lane", "avenue", "alley" or similar designations.
 - (a) ALLEY. A narrow street through a block primarily for vehicular service access to the back or side of properties otherwise abutting on another street.
 - (b) ARTERIAL. A street of considerable continuity which is primarily a traffic artery for travel between large areas.
 - (c) COLLECTOR. A street supplementary to the arterial street system and a means of travel between this system and smaller areas, used to some extent for through traffic and to some extent for access to abutting properties.
 - (d) CUL-DE-SAC. A short street having one end open to traffic and being terminated by a vehicle turn-around.
 - (e) HALF STREET. A portion of the width of a street, usually along the edge of a subdivision, where the remaining portion of the street could be provided in another subdivision.
 - (f) MARGINAL ACCESS STREET. A minor street parallel and adjacent to a major arterial street providing access to abutting properties, but protected from through traffic.
 - (g) MINOR STREET. A street intended primarily for access to abutting properties.
- (22) SUBDIVIDE LAND. To divide an area or tract of land into four or more lots within a calendar year when this area or tract of land exists as a unit or contiguous units of land under a single ownership at the beginning of that year.
- (23) SUBDIVISION. An area or tract of land divided into four or more lots within a calendar year, when this area or tract of land exists as a unit or contiguous units of land under a single ownership at the beginning of that year.
- (24) TENTATIVE PLAN. A preliminary map, drawing or chart of the subdivision, dedication, or portion thereof, containing the elements and requirements set forth within this Ordinance and which the subdivider submits for tentative approval at a public hearing.
- (25) URBAN GROWTH AREA. Land between the corporate limits of the City and the Urban Growth Boundary.
- (26) URBAN GROWTH BOUNDARY. The boundary designated in the City's Comprehensive Plan identifying and separating urbanizable land from rural land.

- 2.1 Subdivisions. Before any permit for the erection of any structure in a proposed subdivision is granted, and before any contract for sale of any part thereof is made, the subdividing owner or his authorized agent shall apply for and secure approval of the proposed subdivision in accordance with the following procedure:
 - (1) DISCUSSION OF REQUIREMENTS: Before preparing the sketch plan as required in Section 2.1 (2) below, the applicant shall discuss with the City Engineer the procedure for adoption of a subdivision plat and the improvement requirements provided for in this Ordinance.
 - (2) SKETCH PLAN: Prior to subdividing land, an owner of land or his representative shall file an application for approval of a sketch plan.
 - (a) The application shall:
 - (1) be made on forms available from the City,
 - (2) include all contiguous holdings of the owner, with an indication of the portion which is proposed to be subdivided. It shall also be accompanied by an affidavit of ownership, which shall include the dates the respective holdings of land were acquired, together with the book and page of each conveyance to the present owner as recorded in the County Clerk's office. The affidavit shall list the legal owner of the property, the contract owner of the property, the date contract of sale was executed and, if any corporations are involved, a complete list of all directors, officers and stockholders of each corporation owning more than 5% of any class of stock,
 - (3) be accompanied by a minimum of seven (7) copies of the sketch plan as described in these regulations and complying in all respects with these regulations,
 - (4) be accompanied by the appropriate fee, based on the fee schedule adopted by the City Council, and
 - (5) if the applicant is not a resident of Morrow County, the application shall include an address and telephone number of an agent located within Morrow County who shall be authorized to receive all notices required by this Ordinance.
 - (b) City Council review of sketch plan: At its next regular meeting, the City Council shall study the sketch plan, taking into consideration the requirements of the subdivision regulations and the best use of the land being subdivided. Particular

attention must be given to the arrangement, location and width of streets, their relation to the topography of the land, water supply, sewage disposal, drainage, lot size and arrangement, the further development of adjoining lands as yet unsubdivided, and the requirements of the Comprehensive Plan.

- (c) Approval of sketch plan: Within forty-five (45) days after the City Council reviews the sketch plan, it shall advise the applicant of the specific changes or additions, if any, it will require in the layout, and the character and extent of required improvements and reservations which it will require as a prerequisite to the approval of the tentative subdivision plan. The City Council may require additional changes as a result of further study of the subdivision in final form. This approval authorizes the applicant to submit a tentative plan.
- (d) Notice to governmental units: All affected governmental units shall be notified of the approval of the sketch plan and shall be given a reasonable period of time to review the plan and to suggest revisions in the public interest prior to the public hearing on the tentative plan.

(3) TENTATIVE PLAN:

- (a) Application procedure and requirements: Based upon the approval of the sketch plan, the applicant shall file in duplicate an application for approval of a tentative plan. The application shall:
 - be accompanied by a minimum of five (5) copies of the tentative plan, as described in Section 5.2 of this Ordinance, and submitted to the City Recorder at least fifteen (15) days prior to a regular City Council meeting;
 - (2) be made on forms available from the City, together with the appropriate fee, based on the fee schedule adopted by the City Council;
 - (3) include all land which the applicant proposes to subdivide, and if the subdivision pertains to only a part of the tract owned or controlled by the subdivider, then the applicant shall also include a sketch of a tentative layout for streets in the unsubdivided portion; and
 - (4) comply in all respects with the sketch plan, as approved.
- (b) Review by City Engineer: Upon receipt of the application for tentative plan approval, the City Recorder shall furnish one copy of the application to the City Engineer. The City Engineer shall review the tentative plan and prepare his report to present to the City Council at the public hearing on the tentative plan.

- (c) City Council review: The City Council shall hold a public hearing to review the tentative plan and the City Engineer's report.
- (d) Notice and opportunity to be heard:
 - (1) NOTICE:
 - (a) Procedure: The City Recorder shall give notice of the public hearing in the following manner:
 - NEWSPAPER: Notice shall be published in at least two issues of a newspaper of general circulation within the city, the first at least ten (10) days in advance of the public hearing, and the second at least one (1) day in advance of the public hearing.
 - (2) MAIL: At least ten (10) days prior to the public hearing, notice of the hearing shall be sent by first class mail to:
 - (a) The applicant and all record owners and contract purchasers of real property within 250 feet of the property which is the subject of the proposed action, and
 - (b) All affected governmental units which have an interest in the proposed subdivision.
 - (3) POSTING: at least ten (10) days prior to the public hearing, a notice of such public hearing shall be posted on the closest public streets in visible locations surrounding the proposed subdivision or property to be partitioned.
 - (b) Content: The public notices shall contain the following:
 - (1) Date, time and place of public hearing,
 - General description of the action proposed on the subdivision application,
 - (3) Address, including lot and block number, if any, of the property to be subdivided,
 - (4) Notice by mail and posting shall also include an 8 1/2" x 11" diagram of the property to be subdivided, to be provided by the applicant, indicating its location relative to adjacent property owners within 250 feet and at least two clearly marked public streets.

(2) PUBLIC HEARING:

- (a) The City Council shall hold a public hearing on the tentative plan within forty-give (45) days following submission of the tentative plan.
- (b) The public hearing shall be conducted in accordance with the requirements governing the conduct of quasi-judicial hearings on land use matters pursuant to ORS 215.412 and 227.170.
- (c) If necessary, the City Council may resolve to continue the public hearing giving the date, time, and place the hearing will be continued.

(e) Action on tentative plan:

- (1) Within fifteen (15) days following the close of the public hearing, the City Council shall give written notice to the applicant of approval, disapproval or conditional approval of the tentative plan. Approval shall be indicated by the signature of the Mayor on the plan.
- (2) One copy of the tentative plan shall be returned to the developer with the date of approval, conditional approval or disapproval and the findings and conclusions upon which the City Council's decision was based accompanying the plan.

(f) Effective period of tentative approval:

- The approval of a tentative plan for a subdivision shall be effective for one year.
- (2) Any plan not receiving final approval within one year shall be null and void, and the developer must submit a new tentative plan for approval, subject to all current zoning restrictions and land division regulations.

(4) FINAL SUBDIVISION PLAT:

- (a) Application procedure and requirements: Within one year of the approval of the tentative plan, the applicant, in order to receive final approval of the subdivision plat, shall file with the City Council an application which shall:
 - Be made on forms supplied by the City together with the appropriate fee, based on the fee schedule adopted by the City Council.
 - (2) Include the entire subdivision or section thereof, access to which is via an existing state, county or local government highway.

- (3) Be accompanied by a minimum of ten (10) copies of the subdivision plat, as described in Section 5.3 of this ordinance.
- (4) Comply in all respects with the tentative plan, as approved.
- (5) Be presented to the City Recorder, who shall then refer the application to the City Council prior to the next regular meeting of the City Council at which consideration is desired.
- (6) Be accompanied by all formal irrevocable offers of dedication to the public of all streets, local government uses, utilities, parks and easements, without any reservation other than reversionary rights upon vacation of any such street or road and easements for public utilities, pursuant to ORS 92.090 (3).
- (7) Be accompanied by a performance bond for completion and maintenance of improvements, as specified in Section 3 of this Ordinance, and which includes a provision that the principal of the bond or other guarantee of financial security shall comply with all the terms specified by the City Council as a condition of approval of the final subdivision plat.
- (8) Be accompanied by written assurance from public utility companies and improvement districts that necessary utilities will be installed and by proof that the applicant has submitted petitions in writing for the creation or extension of any improvement districts as required by the City Council upon tentative plan approval.

(b) Review of application:

- (1) The City Council shall review the application at the next regular City Council meeting following submission of the application for final plat approval. In order to be considered at the next meeting, the application must be submitted at least ten (10) working days before the regularly scheduled meeting of the City Council.
- (2) The application for final plat approval and accompanying documents shall be reviewed by the City Engineer and affected governmental units to determine whether it substantially conforms to the tentative plan, the requirements of law and this Ordinance. The City Engineer may make such checks in the field as are desirable to verify that the subdivision plat is sufficiently correct on the ground and he or his representatives may enter the property for this purpose. If the City Engineer determines that the final subdivision plat does not so conform to the tentative plan, the requirements

of law and this Ordinance, then he shall advise the applicant of the changes that must be made and shall afford the applicant an opportunity to make the changes or additions.

- (3) Upon receipt of the plat with the approval of the City Engineer, the City Council shall consider the application at a scheduled meeting. Within ten (10) days of the meeting, the City Council shall approve, disapprove or conditionally approve the application setting forth in detail any conditions of approval or reasons for disapproval.
- (4) The final resolution of the City Council approving the application shall stipulate the period of time when the performance bond or other guarantee of financial security shall be filed or the required improvements installed, whichever is applicable. It shall also contain the written findings of fact and conclusions of law which it relied upon in reaching its decision. One copy of the final subdivision plat or major partition map signed by the Mayor, shall be returned to the developer with the date of approval, conditional approval or disapproval noted thereon, and the reasons therefore accompanying the plat or map.
- (5) Filing of Plat: Without delay, the subdivider shall submit the final plat for signatures of other public officials required by the law. Approval of the plat shall be null and void if the plat is not recorded within ninety (90) days after the date the last required approving signature has been obtained, or within one year of approval of the final plat or map, whichever is sooner.
- 2.2 Major Partitions. The procedure for approval by the City of a major partition shall be the same as provided for in Section 2.1 pertaining to subdivision, except that the applicant need not file and obtain approval of a sketch plan, procedures for which are specified in Section 2.1 (2) of this Ordinance.

2.3 Minor Partitions.

- (1) Application procedure and requirements. Prior to creating a minor land partition, an owner of land or his representative shall file with the City Recorder an application for approval of a sketch plan. The application shall:
 - (a) be made on forms available from the City,
 - (b) include all contiguous holdings of the owner, with an indication of the portion which is proposed to be partitioned. It shall also be accompanied by an affidavit of ownership, which shall include the dates the respective holdings of land were acquired together with the book and page of each

conveyance to the present owner as recorded in the County Clerk's office. The affidavit shall list the legal owner of the property, the contract owner of the property, the date contract of sale was executed and, if any corporations are involved, a complete list of all directors, officers and stockholders of each corporation owning more than 5% of any class of stock,

- (c) be accompanied by a minimum of five (5) copies of the sketch plan, as described in Section 5.1 of this Ordinance, and complying in all respects with this Ordinance, and
- (d) be accompanied by the appropriate fee, based on the fee schedule adopted by the City Council.
- (2) Review by City Engineer: The City Recorder, within forty-five (45) days of receipt of the application, shall refer the application to the City Engineer, who shall determine if dedication of land, easements or conditions for approval of the sketch plan are required.
- (3) Hearing by City Council: The public hearing shall be conducted in accordance with the requirements governing the conduct of quasi-judicial hearings on land-use matters, and notice shall be given in accordance with the requirements of Section 2.1 (3) (d) of this Ordinance.
- (4) Action on application: The City Council shall approve, conditionally approve, or deny the application for creation of a minor land partition and state the reasons therefore within fourteen (14) days after close of the hearing.

SECTION 3. ASSURANCE FOR COMPLETION AND MAINTENANCE OF IMPROVEMENTS

3.1 Improvements and Guarantees of Financial Security.

- (1) Completion of improvements. Before the final subdivision plat or major partition map is signed by the Mayor, all applicants shall be required to complete, in accordance with the City Council's decision and to the satisfaction of the City Engineer, all the street, sanitary and other improvements, as required in these regulations, specified in the final subdivision plat, and as approved by the City Council and to dedicate same to the City, free and clear of all liens and encumbrances on the property and public improvements thus dedicated.
- (2) The City Council in its discretion may waive the requirement that the applicant complete and dedicate all public improvements prior to the signing of the subdivision plat, and that, as an alternative, the applicant shall provide assurance of financial security at the time of application for final subdivision approval in an amount estimated by the applicant and determined by the City Engineer as sufficient to secure to the City the satisfactory construction, installation and dedication of the incompleted portion of required improvements. The guarantee of financial security shall also secure all lot improvements on the individual lots of the subdivision as required in these regulations, and shall take the form of the following:
 - (a) Surety Performance Bond: The bond shall be executed by a surety company authorized to do business in the State of Oregon and acceptable as a surety to the City Council and countersigned by an Oregon agent. The bond shall be payable to the City and shall be in effect until the completed improvements are accepted by the City Council.
- (3) Cost of Improvements. All required improvements shall be made by the applicant, at his expense, without reimbursement by the City.
- (4) Failure to Complete Improvements: For subdivisions or major partitions for which guarantees of performance have not been made, if the improvements are not completed within the period specified by the City Council in the resolution approving the plat, the approval shall be deemed to have expired. In those cases where a guarantee of financial security has been made and required improvements have not been installed within the stated period of time, the City may declare the subdivider or major land partitioner to be in default and require that all the improvements be installed regardless of the extent of the building development at the time that default is declared.
- (5) Acceptance of Dedication Offers. Acceptance of formal offers of dedication of streets, public areas, easements, and parks shall be by ordinance of the City Council.

3.2 Inspection of Improvements.

- (1) General Procedure and Fees. The City Council shall provide for inspection of required improvements during construction and insure their satisfactory completion. The applicant shall pay to the City a fee to cover the actual cost of inspection of required improvements, and the subdivision plat or major partition map shall not be signed by the Mayor unless this fee has been paid at the time of the application. These fees shall be due and payable upon demand of the City, and the City will not give zoning approval on the developer's application for a building permit issued by the State of Oregon until all fees are paid. If the City Engineer finds upon inspection that any of the required improvements have not been constructed in accordance with the City's construction standards and specifications, the applicant shall be responsible for completing the improvements.
- Certificate of Satisfactory Completion: The City Council will not accept dedication of required improvements, nor release or direct the release of property or money held in escrow, or the surety performance bond or letter of credit, until the City Engineer has submitted a certificate stating that all required improvements have been satisfactorily completed and until the applicant's engineer or surveyor has certified to the City Engineer, through submission of detailed "as-built" survey plat of the subdivision, indicating location, dimensions, materials, and other information required by the City, that the layout of the line and grade of all public improvements is in accordance with construction plans for the subdivision or major partition, and that a title insurance policy has been furnished to and approved by the City Attorney indicating that the improvements shall have been completed, are ready for dedication to the local government and are free and clear of any and all liens and encumbrances. Upon such approval and recommendation, the City Council shall thereafter accept the improvements for dedication in accordance with the established procedure, and shall release all performance guarantees posted by the developer, as provided for in Section 3.1 (2).

3.3 Maintenance of Improvements.

- (1) The applicant shall be required to maintain all improvements on the individual subdivided lots until acceptance of said improvements by the City Council.
- (2) The applicant shall be required to file a maintenance bond with the City Council, prior to dedication, in an amount considered adequate by the City Engineer and in a form satisfactory to the City Attorney, in order to assure the satisfactory condition of the required improvements, including all lot improvements on the individual subdivided lots for a period of one (1) year after the date of their acceptance by the City Council and dedication of same to the City.

3.4 Deferral or Waiver of Required Improvements.

- (1) The City Council giving its reasons therefore, may defer or waive at the time of tentative plan approval the provision of one or more improvements as, in its judgment, are not requisite in the interests of the public health, safety, and general welfare, or which are inappropriate because of lack of connecting facilities.
- (2) Whenever it is deemed necessary by the City Council to defer the construction of any improvement required herein because of incompatible grades, future planning, inadequate or lack of connecting facilities, or for other reasons, the applicant shall pay his share of the costs of the future improvements to the City prior to signing of the final subdivision plat, or the applicant may post a bond insuring the completion of said improvements upon demand of the City.

SECTION 4. REQUIREMENTS FOR IMPROVEMENTS, RESERVATIONS AND DESIGN

4.1 General Improvements.

- (1) CONFORMANCE TO APPLICABLE RULES AND REGULATIONS. In addition to the requirements established herein, all subdivision or major partitions shall comply with the following laws, rules, and regulations:
 - (a) The City's Comprehensive Plan, Zoning Ordinance, Capital Improvement Program and other applicable city ordinances.
 - (b) All applicable Oregon Statutes and administrative rules,
 - (c) The requirements of the State Highway Division if the subdivision or partition or any lot contained therein abuts a state highway or connecting street,
 - (d) The requirements, guides and standards of the Morrow County Roadmaster if the subdivision or partition or any lot contained therein abuts or substantially affects the usage of a county road, and
 - (e) Plat approval may be withheld if a subdivision or partition is not in conformity with the above guides or policy and purposes of these regulations established in Section 1.4 herein.
- (2) SELF-IMPOSED RESTRICTIONS. If the owner places restrictions on any of the land contained in the subdivision or partition greater than those required by the Zoning Ordinance or these regulations, such restrictions or reference thereto may be required to be indicated on the subdivision plat or partition map, or the City Council may require that restrictive covenants be recorded with the County Clerk in a form to be approved by the City Attorney.

- (3) MONUMENTS. The applicant shall have permanent reference monments placed in the subdivision or partition as required by ORS 92.050 to 92.070.
- (4) CHARACTER OF LAND. Land unsuitable for subdivision, partition or development due to flooding, improper drainage, steep slopes, rock formations, adverse earth formations or topography, utility easements or other features which will reasonably be harmful to the safety, health, and general welfare of the present or future inhabitants of the subdivision and/or its surrounding areas, shall not be subdivided or developed unless adequate methods are formulated by the developer and approved by the City Council, upon recommendation of the City Engineer, to solve the problems created by the unsuitable land conditions. This land shall be set aside for uses as shall not involve such a danger.
- (5) SUBDIVISION NAME. The proposed name of the subdivision shall not duplicate, or too closely approximate phonetically, the name of any other subdivision in the area covered by these regulations. The City Council shall have final authority to designate the name of the subdivision which shall be determined at the time of tentative plan approval.

4.2 Streets.

- (1) GENERAL REQUIREMENTS.
 - (a) Frontage on Improved Streets. No subdivision or major partition shall be approved unless the area to be subdivided shall have frontage on and access from an existing street. This street or highway must be suitably improved as required by appropriate county, city, or state rules, regulations, specification or orders, or be secured by a performance bond required under these regulations, with the width and right-of-way required by these regulations.
 - (b) Grading and Improvement Plan. Streets shall be paved and improved and conform to the City construction standards and specifications and shall be approved as to design by the City Engineer, in accordance with the construction plans required to be submitted prior to final plat approval.
 - (c) Topography and Arrangement.
 - (1) Roads shall be related appropriately to the topography. Local roads shall be curved wherever possible to avoid conformity of lot appearance. All streets shall be arranged so as to obtain as many as possible of the building sites at, or above the grades of the streets. Grades of streets shall conform as closely as possible to the original topography. A combination of steep grades and curves shall be avoided. Specific standards are contained in the design standards of these regulations.

- (2) All streets shall be properly integrated with the existing and proposed system of thoroughfares and dedicated rights-of-way as established by the Comprehensive Plan.
- (d) Road Names. The sketch plan as submitted shall not indicate any names upon proposed streets. The City Council shall name all streets at the time of tentative plan approval, in the case of a major partition. Names shall be sufficiently different in sound and spelling from other street names in the City so as not to cause confusion. A street which is or is planned as a continuation of an existing road shall bear the same name.
- (e) Road Regulatory Signs. Road signs shall be purchased and installed by the developer in accordance with design and specification standards approved by the City Engineer.
- (f) Street Lights. Street lights shall be installed by the developer in accordance with design and specification standards approved by the City Engineer.

(2) DESIGN STANDARDS

- (a) General. In order to provide for streets of suitable location, width, and improvement to accommodate prospective traffic and afford satisfactory access to police, firefighting, snow removal, sanitation, and road maintenance equipment, and to coordinate roads so as to compose a convenient system and avoid undue hardships to adjoining properties, the following design standards for roads are hereby required as given in Table I and as follows:
- (b) Road Surfacing and Improvements. After sewer, water, and other required utilities have been installed by the developer, the applicant shall construct curbs and gutters and shall surface roadways to the widths prescribed in these regulations. The roadways shall be paved. Types of pavement shall be determined by the City Engineer. Adequate provision shall be made for culverts, drains and bridges.

All road pavements, shoulders, drainage improvements and structures, curbs, turnarounds, and sidewalks shall conform to all construction standards and specifications adopted by the City Council upon recommendation of the City Engineer, and shall be incorporated into the construction plans required to be submitted by the developer for plat approval.

(c) Excess Right-of-way. Right-of-way widths in excess of the standards designated in these regulations shall be required whenever, due to topography, additional width is necessary to provide adequate earth slopes. Such slope shall not be in excess of three to one.

(d) Intersections.

- (1) Streets shall be laid out so as to intersect as nearly as possible at right angles. A proposed intersection of two (2) new streets at an angle of less than seventyfive (75) degrees shall not be acceptable. An oblique street should be curved approaching an intersection and should be approximately at right angles for at least one hundred (100) feet therefrom. Not more than two (2) streets shall intersect at any one point.
- (2) Proposed new intersections along one side of an existing street shall, wherever practicable, coincide with any existing intersections on the opposite side of such street. Street jogs with center-line offsets of less than 150 feet shall not be permitted, except where the intersected street has separated dual drives without median breaks at either intersection. Where streets intersect major streets, their alignment shall be at least 800 feet apart.
- (3) Minimum curb radius at the intersection of two (2) local streets shall be at least twenty (20) feet; and minimum curb radius at an intersection involving a collector street shall be at least twenty-five (25) feet. Alley intersections and abrupt changes in alignment within a block shall have the corners cut off in accordance with standard engineering practice to permit safe vehicular movement.
- (4) Intersections shall be designed with a flat grade wherever practical. In hilly or rolling areas, at the approach to an intersection, a leveling area shall be provided having not greater than a two percent (2%) rate at a distance of sixty (60) feet, measured from the nearest right-of-way line of the intersecting street.
- (5) Where any street intersection will involve earth banks or existing vegetation inside any lot corner that would create a traffic hazard by limiting visibility, the developer shall cut such ground and/or vegetation (including trees) in connection with the grading of the public right-of-way to the extent necessary to provide an adequate sight distance.

4.3 Drainage and Storm Sewers.

- (1) GENERAL REQUIREMENTS. All subdivision or major partitions shall have adequate provision for storm or flood water runoff channels or basins. The storm water drainage system shall be separate and independent of any sanitary sewer system. Storm sewers, where required, shall be designed by the Rational Method, or other methods as approved by the City Council and a copy of the design computations shall be submitted along with the plans. Inlets shall be provided so that surface water is not carried across or around any intersection, nor for a distance of more than 600 feet in the gutter. When calculations indicate that curb capacities are exceeded at a point, no further allowance shall be made for flow beyond that point, and basins shall be used to intercept flow at that point. Surface water drainage patterns shall be shown for each and every lot and block.
- (2) NATURE OF STORM WATER FACILITIES.
 - (a) Location. The applicant may be required to carry away by pipe or open ditch any spring or surface water that may exist either previously to, or as a result of the subdivision or partition. Such drainage facilities shall be located in the road right-of-way where feasible, or in perpetual unobstructed easements of appropriate width, and shall be constructed in accordance with the construction standards and specifications recommended by the City Engineer and adopted by the City Council.
 - (b) Accessibility to Public Storm Sewers
 - (1) Where a public storm sewer is accessible, the applicant shall install storm sewer facilities, or if no outlets are within a reasonable distance, adequate provision shall be made for the disposal of storm waters, subject to the specifications of the City Engineer. However, in subdivision or partitions containing lots less than 15,000 square feet in area and in business and industrial districts, underground storm sewer systems shall be constructed throughout the subdivision or partition and shall be conducted to an approved fall-out. Inspection of facilities shall be conducted by the City Engineer.
 - (2) If a connection to a public storm sewer will be provided eventually, the developer shall make arrangements for future storm water disposal at the time the plat receives final approval. Provision for such connection shall be incorporated by inclusion in the performance bond required for the subdivision plat or partition map.

- (c) Accommodation of Upstream Drainage Areas. A culvert or other drainage facility shall in each case be large enough to accommodate potential runoff from its entire upstream drainage area, whether inside or outside the subdivision or partition. The City Engineer shall determine the necessary size of the facility, based on the provisions of the construction standards and specifications assuming conditions of maximum potential watershed development permitted by the Comprehensive Plan.
- (d) Effect on Downstream Drainage Areas. The City Engineer shall also study the effect of each subdivision or partition on existing downstream drainage facilities outside the area of the subdivision or partition. City drainage studies together with such other studies as shall be appropriate, shall serve as a guide to needed improvements. Where it is anticipated that the additional runoff incident to the development of the subdivision or partition will overload an existing downstream drainage facility, the Cith Council may withhold approval of the subdivision or partition until provision has been made for the improvement of said potential condition in such sum as the City Council shall determine. No subdivision or partition shall be approved unless adequate drainage will be provided to an adequate drainage watercourse or facility.
- (e) Areas of Poor Drainage. Whenever a plan, plat or map is submitted for an area which is subject to flooding, the City Council may approve such subdivision or partition provided that the applicant fills the affected area of the subdivision or partition to an elevation sufficient to place the elevation of streets and lots at a minimum of twelve (12) inches above the elevation of the maximum probable flood, as determined by the City Engineer. The plan, plat or map of the subdivision or partition shall provide for an overflow zone along the bank of any stream or watercourse, in a width which shall be sufficient in time of high water to contain or move the water, and no fill shall be placed in the overflow zone nor shall any structure be erected or placed therein. The boundaries of the overflow zone shall be subject to approval by the City Engineer. Development will be discouraged in areas of extremely poor drainage.
- (f) Flood Plain Areas. The City Council, when it deems necessary for the health, safety, or welfare of the present and future population of the area and necessary to the conservation of water, drainage, and sanitary facilities may prohibit the subdivision or partition of any portion of the property which lies within the flood plain of any stream or drainage course. All floodway and flood plain areas shall be administered and utilized according to the National Flood Insurance Administration regulations and the City's flood plain management ordinances and policies.

(3) DEDICATION OF DRAINAGE EASEMENTS

(a) General Requirements. Where a subdivision or partition is traversed by a watercourse, drainageway, channel or stream, there shall be provided a storm water easement or drainage right-of-way conforming substantially to the lines of such watercourse, and of such width and construction or both as will be adequate for the purpose. Whereever possible, it is desirable that the drainage be maintained by an open channel with landscaped banks and adequate width for maximum potential volume of flow.

(b) Drainage Easements

- (1) Where topography or other conditions are such as to make impractical the inclusion of drainage facilities within road rights-of-way, perpetual unobstructed easements at least fifteen (15) feet in width for such drainage facilities shall be provided across property outside the road lines and with satisfactory access to the road. Easements shall be indicated on the plat. Drainage easements shall be carried from the road to a natural watercourse or to other drainage facilities.
- (2) When a proposed drainage system will carry water across private land outside the subdivision or partition, appropriate drainage rights must be secured and indicated on the plat.
- (3) The applicant shall dedicate, either in fee or by drainage or conservation easement of land on both sides of existing watercourses, to a distance to be determined by the City Council.
- (4) Low-lying lands along watercourses subject to flooding or overflowing during storm periods, whether or not included in areas for dedication, shall be preserved and retained in their natural state as drainage ways. Such land or lands subject to periodic flooding shall not be computed in determining the number of lots to be utilized for average density procedure nor for computing the area requirement of any lot.

4.4 Water Facilities.

(1) GENERAL REQUIREMENTS

- (a) Necessary action shall be taken by the applicant to provide a water-supply system capable of adequately meeting domestic water use and fire protection requirements.
- (b) Where a public water main is accessible, the applicant shall install adequate water facilities subject to the specifications of city and state law. All water mains shall be at least six (6) inches in diameter.

- (c) All water improvements shall conform to the construction standards and specifications adopted by the City Council, upon recommendation of the City Engineer, and shall be incorporated into the construction plans required to be submitted by the developer for plan approval.
- (d) The location of all fire hydrants and all water supply improvements shall be shown on the tentative plan, and the cost of installing same shall be included in the performance bond or other appropriate guarantee of financial security furnished by the developer.
- (2) FIRE HYDRANTS. Fire hydrants shall be required for all sub-divisions and partitions. Fire hydrants shall be located no more than 500 feet apart and within 500 feet of any structure. The City Council and fire district may require fire hydrants to be located less than 500 feet apart and closer than 500 feet to any structure. All fire hydrant locations shall be approved by the City and appropriate fire district. To eliminate future street openings, all underground utilities for fire hydrants together with fire hydrants themselves and all other supply improvements shall be installed before any final paving of a street shown on the subdivision plat or partition map.

4.5 Sewerage Facilities.

- (1) GENERAL REQUIREMENTS. The applicant shall install sanitary sewer facilities in a manner prescribed by this Ordinance. All plans shall be designed in accordance with the rules, regulations and standards of the City and appropriate state and federal agencies. Plans shall be approved by such agencies. Necessary action shall be taken by the applicant to provide sewerage facilities to the subdivision.
- (2) INDIVIDUAL DISPOSAL SYSTEM REQUIREMENTS. If public sewer facilities are not available and individual disposal systems are proposed, minimum lot areas shall conform to the requirements of the Zoning Ordinance and those of the Department of Environmental Quality of the State of Oregon. The individual disposal system, including the size of the septic tanks and size of the tile fields or other secondary treatment device, shall also be approved by the Department of Environmental Quality.
- (3) MANDATORY CONNECTION TO PUBLIC SEWER SYSTEM. If a public sanitary sewer is accessible and a sanitary sewer is placed in a street or alley abutting upon property, the owner thereof shall be required to connect to said sewer for the purpose of disposing of waste, and it shall be unlawful for any such owner or occupant to maintain upon any such property an individual sewage disposal system.

4.6 Sidewalks.

(1) REQUIRED IMPROVEMENTS

- (a) Sidewalks shall be included within the dedicated nonpavement right-of-way of all roads. Sidewalks shall be a minimum of four (4) feet wide.
- (b) Concrete curbs are required for all roads where sidewalks are required by these regulations or where required in the discretion of the City Council.
- (2) PEDESTRIAN ACCESS. The City Council may require, in order to facilitate pedestrian access from the roads to schools, parks, playgrounds, or other nearby roads, perpetual unobstructed easements at least twenty (20) feet in width. Easements shall be indicated on the plan, plat or map.

4.7 Utilities.

(1) LOCATION. All utility facilities, including but not limited to, gas, electric power, telephone and CATV cables, shall be located underground throughout the subdivision or partition. Where-ever existing utility facilities are located aboveground, except where existing on public roads and rights-of-way, they shall be removed and placed underground. All utility facilities existing and proposed throughout the subdivision or partition shall be shown on the tentative plan or map. Underground service connections to the street property line of each platted lot shall be installed at the developer's expense. At the discretion of the City Council the requirements for service connections to each lot may be waived in the case of adjoining lots to be retained in single ownership and intended to be developed for the same primary use.

(2) EASEMENTS

- (a) Easements centered on rear lot line shall be provided for utilities (private and municipal); such easements shall be at least sixteen (16) feet wide. Proper coordination shall be established between the developer and the appropriate utility companies for the establishment of utility easements established in adjoining properties.
- (b) Where topographical or other conditions are such as to make impractical the inclusion of utilities within the rear lot lines, perpetual unobstructed easements of a width designated by the City Council, shall be provided along side lot lines with satisfactory access to the road or rear lot lines. Easements shall be indicated on the plan, plat, or map.

4.8 Public Uses.

(1) PARKS, PLAYGROUNDS AND RECREATION AREAS

- (a) Recreation Standards. Land shall be reserved for parks and playgrounds or other recreation purposes. Each reservation shall be of suitable size, dimension, topography, and general character and shall have adequate road access for the particular purposes envisioned by the City. The number of acres to be reserved shall be determined on the basis of providing one (1) acre of recreation area for every thirty (30) dwelling units. The developer shall dedicate all such recreation areas to the City as a condition of final subdivision or partition approval.
- (b) Minimum Size of Park and Playground Reservations. In general, land reserved for recreation purposes shall have an area of at least two (2) acres. When the size of the subdivision would indicate less than two (2) acres be set aside for recreation, the City Council may require that the recreation area be located at the edge of the subdivision so that additional land may be added in the future, or the City Council may require the provisions of Section 4.8 (1) (d) be applied.
- (c) Recreation Sites. Land reserved for recreation purposes shall be of a character and location suitable for use as a playground, playfield, or for other recreation purposes, and shall be relatively level and dry; and shall be improved by the developer to the standards required by the City Council. Such improvements shall be included in the performance bond. The dimensions of the recreation site shall be determined by the City Council. All land to be reserved for dedication to the City for park purposes shall have prior approval of the City Council and shall be shown marked on the plat or map, "Reserved for Park and/or Recreation Purposes."
- (d) Alternative Procedure: Money in Lieu of Land. Where, with respect to a particular subdivision or partition, the reservation of land required pursuant to this section does not equal two acres, the applicant shall deposit with the City Council a cash payment in lieu of land reservation prior to the final approval of the subdivision plat or partition map. Such deposit shall be placed in a Neighborhood Park and Recreation Improvement Fund to be established by the City Council. Such deposit shall be used by the City for improvement of a neighborhood park, playground, or recreation area including the acquisition of property. The City Council shall determine the amount to be deposited, based on the following formula: two hundred dollars (\$200) multiplied by the number of lots in the subdivision.

(e) Other Recreation Reservations. The provisions of this section are minimum standards. None of the above shall be construed as prohibiting a developer from reserving other land for recreation purposes in addition to the requirements of this section.

(2) OTHER PUBLIC USES

- (a) Plat to Provide for Public Uses. Whenever a tract to be subdivided includes a school, recreation uses or other public uses as indicated on the Comprehensive Plan, such space shall be suitably incorporated by the applicant into his sketch plan. After proper determination of its necessity by the City Council and the appropriate local government official or other public agency involved in the acquisition and use of each such site and a determination has been made to acquire the site by the public agency, the site shall be suitably incorporated by the applicant into the tentative plan and final plat.
- (b) Referral to Public Body. The City Council shall refer the sketch plan to the public body concerned with acquisition for its consideration and report. The City Council may propose alternate areas for such acquisition and shall allow the public body or agency thirty (30) days for reply. The agency's recommendation, if affirmative, shall include a map showing the boundaries and area of the parcel to be acquired and an estimate of the time required to complete the acquisition.
- (c) Notice to Property Owner. Upon a receipt of an affirmative report the City Council shall notify the property owner and shall designate on the tentative plan and final plat that area proposed to be acquired by the public body.
- (d) Duration of Land Reservation. The acquisition of land reserved by a public agency on the final plat shall be initiated within twelve (12) months of notification, in writing, from the owner that he intends to develop the land. Such letter of intent shall be accompanied by a sketch plan of the proposed development and a tentative schedule of construction. Failure on the part of the public agency to initiate acquisition within the prescribed twelve (12) months shall result in the removal of the "reserved" designation from the property involved and the freeing of the property for development in accordance with these regulations.
- 4.9 Preservation of Natural Features and Amenities. Existing features which would add value to the development or to the City as a whole, such as trees, watercourses and falls, historic and archeological sites, and similar irreplaceable assets, shall be preserved in the

design of the subdivision or partition. No trees shall be removed from any subdivision or partition nor any change of grade of the land effected until approval of the tentative plan or map has been granted. All trees on the plat or map required to be retained shall be preserved, and all trees where required shall be welled and protected against change of grade. The sketch plan (or tentative plan in the case of a major partition) shall show the number and location of existing trees, as required by these regulations and shall further indicate all those marked for retention.

4.10 Nonresidential Subdivisions.

- GENERAL. If a proposed subdivision includes land that is zoned for commercial or industrial purposes, the layout of the subdivision with respect to such land shall make such provision as the City Council may require.
- (2) STANDARDS. In addition to the principles and standards in these regulations, which are appropriate to the planning of all subdivisions, the applicant shall demonstrate to the satisfaction of the City Council that the street, parcel, and block pattern proposed is specifically adapted to the uses anticipated and takes into account other uses in the vicinity. The following principles and standards shall be observed:
 - (a) Proposed industrial parcels shall be suitable in area and dimensions to the type of industrial development anticipated.
 - (b) Street rights-of-way and pavement shall be adequate to accommodate the types and volume of traffic anticipated to be generated thereupon.
 - (c) Special requirements may be imposed by the local government with respect to street, curb, gutter and sidewalk design and construction.
 - (d) Special requirements may be imposed by the local government with respect to the installation of public utilities, including water, sewer, and storm water drainage.
 - (e) Every effort shall be made to protect adjacent residential areas from potential nuisance from a proposed commercial or industrial subdivision, including the provision of extra depth in parcels backing up on existing or potential residential development and provisions for a permanently landscaped buffer strip when necessary.
 - (f) Streets carrying nonresidential traffic, especially truck traffic, shall not normally be extended to the boundaries of adjacent existing or potential residential areas.

TABLE 1
DESIGN STANDARDS FOR ROADS

	Residential	Commercial-Industrial
Minimum Right-of-Way Width (in fee	et)	,
Arterial	66	66
Collector	66	66
Continuous Minor Street	66	66
Minor Streets less than 2,400 feet in length which cannot be extended	66	66
Alleys	16	16
Minimum Surfaced Width (in feet)		
Arterial	44	52
Collector Street	40	48
Continuous Minor Streets	36	40
Minor Streets less than 2,400 feet in length which cannot be extended	28	40
Maximum Grade (Percent)		
Local Road	10	6
Collector Road	8	6
Arterial	6	5
Minimum Grade	1	1
Mînimum Radius of Curve (in feet)	*	
Local Road	100	200
Collector Road	100	200
Arterial	300	400

TABLE 1 (continued)

DESIGN STANDARDS FOR ROADS

	Residential	Commercial-Industria
Minimum Length Between Reserv	e Curves (in feet)	*******************
Local Road	100	200
Collector Road	100	200
Arterial	200	300
Minimum Sight Distance (in fe	et)	
Local Road	200	250
Collector Road	200	250
Arterial	275	300
Intersection A	cross Corners-75 feet Ba	ack Intersection
Minimum Turnaround (in feet)		
Local Road		
Right-of-Way Diameter	120	160
Pavement	100	140
Center Island Diameter (if re	quired) 40	60
Design Speed (miles per hour)	4	
Local Road	25	25
Collector Road	25	25
Arterial	30	30
Minimum Length of Vertical Cu	rves	
	feet, but not less than c difference in grade.	20 feet for each alge-
Arterial 200 cent		50 feet for each 1 per-

SECTION 5. SPECIFICATIONS FOR DOCUMENTS TO BE SUBMITTED

- 5.1 Sketch Plan. The following shall be required:
 - (1) SCALE. Sketch plans shall be drawn to a convenient scale of not more than one hundred (100) feet to an inch.
 - (2) NAME. The sketch plan shall show the name of the subdivision if property is within an existing subdivision, and if not, it shall show the proposed name which does not duplicate the name of any plat previously recorded.
 - (3) OWNERSHIP. The sketch plan shall show:
 - (a) Name and address, including telephone number of legal owner or agent of property, and citation of last instrument conveying title to each parcel of property involved in the proposed subdivision, giving grantor, grantee, date, and land records reference;
 - (b) Citation of any existing legal right-of-way or easements affecting the property;
 - (c) Existing covenants on the property, if any; and
 - (d) Name and address, including telephone number, of the professional person(s) responsible for subdivision design, for the design of public improvements, and for surveys.
 - (4) DESCRIPTION. The sketch plan shall describe the location of property by government lot, section, township, range and county, graphic scale, north arrow, and date.
 - (5) FEATURES. The following are the required features of the sketch map.
 - (a) Location of property lines, existing easements, burial grounds, railroad right-of-way, watercourses, and existing wooded areas or trees eight (8) inches or more in diameter, measured four (4) feet above ground level; location, width, and names of all existing or platted streets or other public ways within or immediately adjacent to the tract; names and addresses of adjoining property owners from the latest assessment rolls within two hundred and fifty (250) feet of any perimeter boundary of the subdivision.
 - (b) Location, sizes, elevations, and slopes of existing sewers, water mains, culverts, and other underground structures within the tract and immediately adjacent thereto; existing permanent building and utility poles on or immediately adjacent to the site and utility rights-of-way.

- (c) Approximate topography, with contour intervals of at least twenty (20) feet.
- (d) The approximate location and widths of proposed streets.
- (e) Preliminary proposals for connection with existing water supply and sanitary sewage systems, or alternative means of providing water supply and sanitary waste treatment and disposal, preliminary provision for collecting and discharging surface water drainage, accompanied by tentative approval by the Department of Environmental Quality and other appropriate agencies.
- (f) The approximate location, dimensions, and areas of all proposed or existing lots.
- (g) The approximate location, dimensions, and area of all parcels of land proposed to be set aside for park or playground use or other public use, or for the use of property owners in the proposed subdivision.
- (h) The location of temporary stakes to enable City officials to find and appraise features of the sketch plan in the field.
- (i) Whenever the sketch plan covers only a part of an applicant's contiguous holdings, the applicant shall submit, at the scale of no more than two hundred (200) feet to the inch, a sketch in ink of the proposed subdivision area, together with its proposed street system, and an indication of the probable future street system and drainage system of the remaining portion of the tract.
- (j) A vicinity map showing streets and other general develoment of the surrounding area. The sketch plan shall show all school and improvement district lines with the zones properly designated.

5.2 Tentative Plan.

- (1) REQUIRED. The following shall be required of a tentative subdivision plan or major partition map.
 - (a) Scale. The plan or map shall be drawn on a sheet 18" x 24" in size or a multiple thereof at a scale of one inch equals 100 feet.
 - (b) Name. The plan or map shall show the name of the subdivision or partition if property is within an existing subdivision, and if not, it shall show the proposed name which does not duplicate the name of any plan or map previously recorded, as provided by ORS 92.09(1).

(c) Ownership.

- (1) Name and address, including telephone number, of legal owner or agent of property, and citation last instrument conveying title to each parcel of property involved in the proposed subdivision or major partition, giving grantor, grantee, date and land records reference.
- (2) Citation of any existing legal rights-of-way or easements affecting the property.
- (3) Existing covenants on the property, if any.
- (4) Name and address, including telephone number, of the professional person(s) responsible for subdivision or partition design, for the design of public improvements, and for surveys.
- (d) Description. The location of property by government lot, section, township, range and county, graphic scale, north arrow, and date.
- (e) Features.
 - (1) Scale of drawing.
 - (2) Appropriate identification of the drawing as a tentative plan or map.
 - (3) The location, widths and names of both opened and unopened streets within or adjacent to the tract, together with easements and other important features such as section lines, section corners, city boundary lines and monuments.
 - (4) Contour lines related to some established bench mark or other datum approved by the City Engineer and having minimum intervals as follows:
 - (a) For slopes of less than five percent (5%): show the direction of slope by means of arrows or other suitable symbols together with not less than four spot elevations per acre, evenly distributed;
 - (b) For slopes of five percent (5%) to fifteen percent (15%): five feet;
 - (c) For slopes of fifteen percent (15%) to twenty percent (20%): ten feet; and
 - (d) For slopes of over twenty percent (20%): twenty feet.

- (5) The location of at least one temporary bench mark within the subdivision or partition boundaries.
- (6) The location and direction of perennial or intermittent water courses and the location of areas subject to flooding, including informational sources relied on.
- (7) Natural features such as rock outcroppings, marshes, wooded areas and isolated preservable trees.
- (8) Existing uses of the property and location of existing structures to remain on the property after plating.
- (9) The location, width, names, approximate grades and radii of curves of proposed streets. The relationship of streets to projected streets as shown on the Comprehensive Plan or as suggested by the City Council to assure adequate traffic circulation.
- (10) A plan for domestic water supply lines and related water service facilities.
- (11) Proposals for sewage disposal, storm water drainage and flood control, including profiles of proposed drainage ways.
- (12) Proposals for the improvements, such as electric utilities, natural gas, sidewalks, cable TV, telephone lines, etc.
- (13) A donation to the public of all common improvements, including but not limited to streets, roads, parks, sewage disposal and water supply systems, the donation of which shall be a condition of approval of the tentative plan.
- (14) The location, width and purpose of proposed easements.
- (15) The location and approximate dimensions of proposed lots and the proposed lot and block numbers.
- (16) Proposed sites, if any allocated for purposes other than single-family dwellings.
- (2) The following may be required at the discretion of the City Council. If the information cannot be shown practicably on the tentative plan or map, it shall be submitted in separate statements accompanying the plan or map.

(a) A vicinity map showing existing subdivisions and unsubdivided land ownerships adjacent to the proposed subdivision or partition and showing how proposed streets and utilities may be extended to connect to existing streets and utilities. (b) Proposed deed restrictions, if any, in outline form. (c) The location within the subdivision and in the adjoining streets and property of existing sewers, water mains, culverts, drain pipes and electric lines. A sketch of a tentative layout for streets in the unsubdivided portion, if the subdivision proposal pertains to only part of the tract owned or controlled by the subdivider. Approximate center line profiles with extensions for reasonable distance beyond the limits of the proposed subdivision or partition, showing the finished grade of streets and the nature and extent of street construction. If lot areas are to be graded, a plan showing the nature of cuts and fills and information on the character of the soil. 5.3 Final Subdivision Plat or Major Partition Map. (1) INFORMATION REQUIRED ON FINAL PLAT OR MAP. The final subdivision plat or partition map shall be presented in india ink and shall contain all information, except for any changes or additions required by resolution of the City Council showing on the tentative plan or map. In addition, the following information shall also be shown on the final subdivision plat or partition map: Reference points of existing surveys identified, related to the plat or map by distances and bearings, and referred to a field book or map as follows: Stakes, monuments or other evidence found on the ground and used to determine the boundaries of the subdivision or partition; Adjoining corners of adjoining subdivisions or partitions; and Other monuments found or established in making the (3) survey of the subdivision or required to be installed by provisions of this Ordinance. The exact location and width of streets and easements inter-(b) cepting the boundary of the tract. (c) Tract, block and lot boundary lines and street right-of-way and center lines, with dimensions, bearings, or deflection H - 34 -

angles, radii, arcs, points of curvature and tangent bearings. Normal high water lines and the hundred-year flood plain for any creek or other body of water. Tract boundaries and street bearing shall be shown to the nearest 30 seconds with basis of bearings. Distance shall be shown to the nearest 0.01 feet. No ditto marks shall be used.

- (d) The width of the portion of streets being dedicated and the width of existing right-of-way. For streets on curvature, curve data shall be based on the street center line. In addition to the center line dimensions, the radius and central angle shall be indicated.
- (e) Easements denoted by fine dotted lines, clearly identified and, if already of record, their recorded reference. If an easement is not definitely located of record, a statement of the easement shall be given. The width of the easement shall be given. The width of the easement, its length and bearing, and sufficient ties to locate the easement with respect to the subdivision shall be shown. If the easement is being dedicated by the map, it shall be properly referenced in the owner's certificates of dedication.
- (f) Lot numbers beginning with the number "1" and numbered consecutively in each block.
- (g) Block numbers beginning with the number "l" and continuing consecutively without omission or duplication throughout the subdivision. The numbers shall be solid, of sufficient size and thickness to stand out and 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 pursuant to ORS 92.090 (1).
- (h) Identification of land to be dedicated for any purpose, public or private, to distinguish it from lots intended for sale.
- (i) Building setback lines, if required, are to be made a part of the subdivision restrictions.
- (j) Explanations of all common improvements required as conditions of approval of the tentative plan, pursuant to Section 5.2(1) (e) (13) of this Ordinance.
- (k) The following certificates, which may be combined, where appropriate:
 - A certificate signed and acknowledged by all parties having any record title interest in the land, consenting to the preparation and recording of the plat;

- (2) A certificate signed and acknowledged as above, dedicating all land intended for public use except land which is intended for the exclusive use of the lot owners in the subdivision, their licensees, visitors, tenants and servants;
- (3) A certificate with the seal of and signed by the City Engineer or the surveyor responsible for the survey and final map;
- (4) A certificate of approval signed by the City Engineer stating that streets and roads held for private use and indicated on the tentative plan have been approved by the City pursuant to ORS 92.090(3) (b); and
- (5) Any other certifications now or hereafter required by law.
- (2) Supplemental information required. The following data shall accompany the final plat or map:
 - (a) A preliminary title report issued by a 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.
 - (b) Sheets and drawings showing the following:
 - Traverse data including the coordinates of the boundary of the subdivision and ties to section corners and donation land claim corners, and showing the error of closure, if any;
 - (2) The computation of distances, angles and courses shown on the plat; and
 - (3) Ties to existing monuments, proposed monuments, adjacent subdivision.
 - (c) A copy of any deed restrictions applicable to the subdivision.
 - (d) A copy of any dedication requiring separate documents.
 - (e) A list of all taxes and assessments on the tract which have become a lien on the tract.
 - (f) A certificate by the City Engineer that the subdivider or land partitioner has complied with the requirements of this Ordinance.

, ,	a mance.			
APPROVED AND ADOP	TED by the Lexington 9.	City Council of	this	_day of
0		Le	On May	
			Mayor	
Attest:				
Tour hou	1 111			
Reco	order			

CITY OF LEXINGTON

MOBILE HOME PARK ORDINANCE NO. 79-3

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CITY OF LEXINGTON

MOBILE HOME PARK ORDINANCE NO. 79-3

SECTION 1. GENERAL PROVISIONS

- 1.1 Title. These regulations shall hereafter be known, cited and referred to as the Mobile Home Park Regulations of the City of Lexington.
- 1.2 Purposes. The purpose of this ordinance is to provide for the public health, safety and general welfare of the people of the City by establishing uniform procedures and standards for Mobile Home Parks within the City. These regulations are necessary to:
 - guide the future development of the City in accordance with the Comprehensive Plan.
 - (2) insure that facilities, including but not limited to sanitation systems, water supply systems, streets and fire protection, are adequate to serve a Mobile Home Park, and
 - (3) protect and conserve land throughout the City by providing for its most beneficial use and enhancement of the quality of the environment.

1.3 Jurisdiction

- (1) These regulations shall apply to all Mobile Home Parks located within the corporate limits of the municipality.
- (2) The City shall review and comment on plans for Mobile Home Parks to be developed beyond the corporate limits of the City and within the urban growth boundary.
- 1.4 Severability. Where any work, phrase, clause, sentence, paragraph or section, or other part of these regulations is held invalid by court of competent jurisdiction, this judgement shall affect only that part held invalid, and shall not impair the validity of the remainder of these regulations.
- 1.5 Amendments. An amendment to this ordinance may be initiated by the City Council,
 Planning Commission, or by application of a property owner or resident in the City

1.6 Violation and Penalties

(1) In addition to penalties provided by state law, any person violating or failing to comply with a provision of this Ordinance shall, upon conviction thereof, be punished by a fine of not more than \$500.00 or by imprisonment for not more than 100 days, or both. In addition, the City shall not give zoning approval of any application for a building permit to be issued by the State of Oregon as to any piece of property owned by a person in violation of the provisions of this Ordinance.

1.7 Schedule of Fees.

(1) Any application or submission required by this Ordinance shall by accompanied by a filing fee based on the fee schedule adopted by the City Council.

- (2) No Application required by this Ordinance shall be accepted unless accompanied by all applicable fees.
- 1.8 Definitions. The words and phrases used in this Ordinance shall have the meaning given in the City Zoning and Subdivision Ordinances.

1.9 Mobile Home Park License

- (1) It shall be unlawful for any person to operate a mobile home park within the City unless such person holds a valid license issued by the City.
- (2) Every person holding a license shall give notice in writing to the City within twenty-four hours after having sold, transferred or otherwise disposed of any interest in or control of a mobile home park. Such notice shall include the name and address of such person's successor in interest or control.
- (3) Applications for licenses shall be in writing. Such applications shall contain the name and address of the applicant and the location and legal description of the property, showing stands, individual mobile home space, buildings, roads and other service facilities. The license shall be granted upon inspection of the mobile home park if it is in compliance with the design requirements of this ordinance.
- (4) If a pre-existing mobile home park is found not to be in compliance with design requirements of this ordinance, the applicant shall either make necessary alterations or seek a waiver of required improvements.
- (5) After the license has been issued, the City may conduct periodic inspections. If any violations of the conditions of this ordinance are found, the City Recorder shall give notice to the person to whom the license was issued. Unless the specified violations are made to conform to this ordinance within 30 days the license shall be suspended and operation of the park shall cease.
- (6) Upon withdrawal of a license, the lincensee shall have 30 dyas to request a hearing before the City Council. The filing of the request shall operate as a stay of suspension. A hearing shall be set within 30 days. If the City Council finds that the licensee is in compliance, the notice of violation shall be modified or withdrawn. If the City Council finds that the licensee has failed to comply with this Ordinance, the license shall be revoked.

SECTION 2. PROCEDURE FOR MOBILE HOME PARK PLAN APPROVAL

- 2.1 Discussion of Requirements. Before preparing the sketch plan as required in Section 2.2 below, the applicant shall discuss with the City Engineer the procedure for approval of a Mobile Home Park plan and the improvement requirements provided for in this Ordinance.
- 2.2 Sketch Plan. Prior to development of a Mobile Home Park the owner of land or his representative shall file an application for approval of a sketch plan.
 - The application shall:
 - (a) be made on forms available from the City.

- (b) include all land which the applicant proposes to develop, and if the mobile home park pertains to only a part of the tract owned or controlled by the developer, then the applicant shall also include a sketch of a tentative layout for streets in the remaining portion. It shall also be accompanied by an affidavit of ownership, which shall include the dates the respective holdings of land were acquired, together with the book and page of each conveyance to the present owner as recorded in the County Clerk's office. The affidavit shall list the legal owner of the property, the contract owner of the property, the date contract of sale was executed and, if any corporations are involved, a complete list of all directors, officers and stockholders of each corporation owning more than 5% of any class of stock.
- (c) be accompanied by a minimum of five (5) copies of the sketch plan and submitted to the City Recorder at least fifteen days prior to a regular Planning Commission meeting.
- (d) be accompanied by the appropriate fee, based on the fee schedule adopted by the City Council.
- (e) if the applicant is not a resident of Morrow County the application shall include an address and telephone number of an agent located within Morrow County who shall be authorized to receive all notices required by this Ordinance.
- (2) Review by City Engineer: The City Recorder shall refer the application to the City Engineer, who shall determine if conditions for approval of the sketch plan are required.
- (3) Review by City Council: At its next regular meeting after receiving the application and City Engineer's reports the City Council shall review the application.
- (4) Action on Application: The City Council shall approve, conditionally approve, or deny the application and state the reasons therefore within fourteen (14) days after its review as completed. This approval authorizes the applicant to submit a final plan.
- (5) Notice to Governmental Units: All affected governmental units shall be notified of the approval of the sketch plan and shall be given a reasonable period of time to review the sketch plan and to suggest revisions in the public interest prior to the public hearing on the final plan.
- (6) Effective Period of Approval:
 - (a) The approval of a sketch plan for a mobile home park shall be effective for one year.
 - (b) Any plan not receiving final approval within one year shall be null and void, and the developer must submit a new sketch plan for approval, subject to all current land regulations.

2.3 Final Mobile Home Park Plan

- (1) Application procedure and requirements. Within one year of the approval of the sketch plan, the applicant, in order to receive final approval of the mobile home park, shall file an application which shall:
 - (a) be made on forms supplied by the City, together with the appropriate fee, based on the fee schedule adopted by the City Council.
 - (b) be accompanied by a minimum of ten copies of the final mobile home park plan.
 - (c) comply in all respects with the sketch plan, as approved.
 - (d) be presented to the City Recorder at least fifteen (15) days prior to a regular meeting of the City Council at which consideration is desired.
- (2) Preliminary review by City Engineer: Upon receipt of the application for final plan approval, the City Recorder shall furnish one copy of the application to the City Engineer. The City Engineer shall review the final plan and prepare his preliminary report to present to the City Council at its next regular meeting.
- (3) City Council review: The City Council shall hold a public hearing to review the final plan within 40 days receiving the application for final approval and the City Engineer's report.

(4) Notice:

- (a) Procedure: The City Recorder shall give notice of the public hearing in the following manner:
 - NEWSPAPER: Notice shall be published in at least two issues of a newspaper of general circulation within the city, the first at least ten (10) days in advance of the public hearing, and the second at least one (1) day in advance of the public hearing.
 - MAIL: At least ten (10) days prior to the public hearing, notice of the hearing shall be sent by first class mail to:
 - a. The applicant and all record owners and contract purchasers of real property within 500 feet of the property which is the subject of the proposed action, and
 - b. All affected governmental units which may be affected by the proposed Mobile Home Park.
 - POSTING: At least ten (10) days prior to the public hearing, a notice of such public hearing shall be posted on the closest public streets in visible locations surrounding the proposed Mobile Home Park.

- (b) Content: The public notices shall contain the following:
 - 1. Date, time and place of public hearing.
 - 2. General description of the action proposed on the application.
 - Address, including lot and block number, if any, of the property.
 - 4. Notice by mail and posting shall also include a 8½" x 11' diagram of the property, to be provided by the applicant, indicating its location relative to adjacent property owners within 500 feet and at least two clearly marked public streets.

(7) Public Hearings:

- (a) the public hearing shall be conducted in accordance with the requirements governing the conduct of quasi-judicial hearings on land use matters pursuant to ORS 215.412 and 227.170.
- (b) if necessary, the City Council may resolve to continue the public hearing giving the date, time, and place the hearing will be continued.

(8) Action on Final Plan:

- (a) Within fifteen (15) days following the close of the public hearing, the City Council shall give written notice to the applicant of approval, disapproval or conditional approval of the final plan. Approval shall be indicated by the signature of the Mayor on the plan.
- (b) One copy of the final plan shall be returned to the developer with the date of approval, conditional approval or disapproval and the findings and conclusions upon which the City Council's decision was based accompanying the plan.

SECTION 3. REQUIREMENTS FOR IMPROVEMENTS, PRESERVATION, AND DESIGN

- 3.1 State Requirements. All improvements included in ORS Chapter 446 and OAR Chapter 814.28 are hereby incorporated by reference into this Ordinance and shall be required.
- 3.2 Character of the Land. Land which is subject to flooding, poor drainage, steep slopes, rock formations, adverse earth formations or topography, utility easements or other features which will reasonably be harmful to the safety, health, and general welfare of the future inhabitants of the mobile home park shall not be developed. Existing features which would add value to the development or to the City as a whole, such as trees, watercourse, historic and archaeological sites, and similar irreplaceable assets, shall be perserved in the design.
- 3.3 General. Applicable standards of the City Subdivision Ordinance shall be followed by the developer.

- 3.4 Phasing. If the mobile home park is to be built in phases, each phase shall be built in accordance with these regulations and the improvements required as each phase is constructed shall be determined based upon the total number of mobile home spaces which will exist after completion of all phases.
- 3.5 Required Improvements. The following improvements shall be required subject to applicable standards as approved by the City Council upon recommendation of the City Engineer.
 - (1) Interior streets
 - (2) Water lines and fire hydrants
 - (3) Sewerage disposable facilities that satisfy the requirements of the Department of Environmental Quality and the City Council
 - (4) Underground utilities
 - (5) Provision for adequate drainage
 - (6) Six (6) foot sight obscuring perimeter fence or landscaping
- 3.6 Optional Improvements. The following improvements may be required subject to applicable standards as approved by the City Council upon recommendation of the City Engineer.
 - (1) Curbs or sidewalks or both
 - (2) Street lights
 - (3) Guest or Recreational Vehicles parking or both
 - (4) Fenced play area(s) or park(s) or both
 - (5) Recreational facilities
 - (6) Groundcover or trees or both
 - (7) Laundry facilities
 - (8) Other suitable improvements as determined by the City Council
- 3.7 Connection with Public Water Systems. Mobile Home Park water lines shall be connected to the City water systems. The developer may be required to pay for or perform the work or both to extend or increase the capacity of lines or both of City water lines to the site.
- 3.8 Deferral or Waiver of Required Improvements. The City Council given their reasons therefore, may defer or waive the provision of one or more improvements as, in its judgement, are not requisite in the interests of the public health safety, and general welfare, or which are inappropriate.

- 4.1 Mobile Home Spaces. Each space for a mboile home shall contain not less than 1,600 square feet exclusive of space provided for the common use of tenants, such as roadways, general use structures, guest parking, walkways and areas for recreation and landscaping purposes.
- 4.2 Setback Requirements. No mobile home in the park shall be located closer than 15 feet from another mobile home or from a general use building in the park. No mobile home accessory building or other building or structure on a mobile home space shall be closer that 10 feet from a mobile home accessory building or other building or structure on another mobile home space. No mobile home or other building or structure shall be within 25 feet of a public street property boundary or 10 feet of another property boundary.

4.3 Installation Requirements.

- (1) Insigne of Compliance. Each mobile home shall have the Oregon "Insigne of Compliance" as provided for by ORS 446.170. However, upon submission of evidence indicating substantial compliance with the standards required for an "Insigne of Compliance", the City may waive the "Insigne of Compliance requirement for units manufactured prior to September 1969.
- (2) A mobile home shall occupy not more that 40 percent of the contiguous space provided for the exclusive use of the occupants of the mobile home and exclusive of space provided for the common use of tenants, such as roadways, general use structures, parking spaces, walkways and areas for recreation and landscaping.
- (3) Installation and Tie-Down requirements. The mobile home shall be installed, tied down and anchored in accordance with the rules established by the Oregon Department of Commerce, or in accordance with the instructions of the manufacturer which have been approved by the Department of Commerce. Such requirements must be met within seven (7) days after the mobile home has been placed on the space.
- (4) Footings or Foundation Requirements. The mobile home shall be installed in accordance with oen of the following methods.
 - (a) The mobile home shall be placed upon pieces and footings in accordance with state approved instructions provided by the manufacturer.
 - (b) The mobile home shall by placed on a cement or concrete block foundation, in accordance with Department of Commerce Regulations.
- (5) Tongue Removal. The tongue of the mobile home shall be removed. If it is designed for removal and is not a permanent part of the mobile home.
- (6) Skirting. Unless the foundation is continuous, the unit shall have a continuous skirting of non-decaying, noncorroding material extending to an impervious surface. The skirting or continuous foundations shall have openings which shall be secured against entry of animals under the mobile home.
- (7) Attached Extensions. No extension or outbuildings shall be physically attached to the mobile home, however, a covered or uncovered carport

or patio, or a storage units for incidential yard and household items may be erected adjacent to the exterior wells of the mobile home. Exception: factory installed tip-outs that are designed to blend in with the rest of the mobile home are allowed.

4.4 Deferral or Waiver of Siting on Installation Requirements

The City Council, giving their reasons therefore, may defer or waive the provision of one or more siting or installation requirement, as in its judgement, are not requisite in the interests of the public health, safety, and general welfare, or which are inappropriate.

Approved and Adopted by the Le	exington City Council this _s day of June
, 1979.	
	Lee Galbers Mayor
Attest:	
City Recorder	

LEXINGTON ORDINANCES

ORDINANCE NO. 74-1

AN ORDINANCE PROVIDING RULES AND REGULATIONS FOR THE OPERATION OF THE LEXINGTON WATER SYSTEM AND DEFINING THE RIGHTS AND OBLIGATIONS OF THE CITY AND ITS WATER SYSTEM CUSTOMERS IN CONNECTION THEREWITH, AND PROVIDING A PENALTY FOR VIOLATION THEREOF.

Now, therefore, the city of Lexington, Oregon, does ordain as follows:

Section 1. Rules and Regulations.

- 1.1 Short title. This code shall be known as "Rules and Regulations for the Operation of the Water System of the City of Lexington Oregon," and may be cited and pleaded.
- 1.2 Scope. The city of Lexington and all customers receiving service from the water system, whether inside or outside the city limits, are bound by these rules and regulations.

Section 2. Definitions of General Terms.

- 2.1 "City" shall mean the legally constituted municipal governments of the city of Lexington, Morrow County, Oregon.
- 2.2 "Water system" shall mean all city-owned facilities for supply, transmission, storage, and distribution of potable water.
- 2.3 "Superintendent" shall mean the person appointed by the city council to manage the affairs of the water system.
- 2.4 "Applicant" shall mean the person or persons, firm, or corporation making application for water service from the water system under the terms of these regulations.
- 2.5 "Customer" shall mean an applicant who has been accepted under the terms of these regulations and who receives water service from the water system.
- Section 3. Service Area. The area served by the water system shall be initially all that area included within the corporate limits of the city of Lexington and may be expanded to include such other contiguous or neighboring territory as the city council shall, from time to time, determine to serve.

Section 4. Description of Service.

4.1 Supply. The city will exercise reasonable diligence and care to deliver a continuous and sufficient supply of water to the customer at a proper pressure and to avoid any shortage or interruption in delivery.

The city shall not be liable for damage resulting from the interruption in service or from the lack of service. Temporary suspension of service by the city for improvements and repairs will be necessary occasionally. Whenever possible and when time permits, all customers affected will be notified prior to shutdowns.

4.2 Quality. The city will exercise reasonable diligence to supply a safe and potable water at all times.

- 4.3 Ownership of system. All water mains, valves, fittings, hydrants, and other appurtenances, except "cutsomer service lines," as defined in subsection 7.1 herein, shall be the property of the city.
- 4.4 Classes of service. The classes of service shall be regular or special, as further described by a number following the letter designation indicating:
 - 1. Inside city limits.
 - 2. Outside city limits.

Regular service includes the following:

4.4.1 Class A service. Class A services shall be those where the

occupancy is primarily residential, including multi-family dwellings such as duplexes, apartments, motels, courtels, etc. where each unit is individually metered.

4.4.2 Class B Service. Class B services shall be those where the occupancy is primarily commercial, such as retail stores, multi-family dwellings, apartments, motels, courtels, etc. without individual meters, shops, service stations, etc.

4.4.3 Class C service. Class C services shall be those where the occupancy is primarily industrial, such as manufacturing plants, warehouses

etc.

4.4.4 Class D service. Class D services shall be the where the occupancy is primarily for public or semipublic use, such as schools, churc

parks, playgrounds, municipal buildings, etc.

4.4.5 Class E service. Class E services shall be those not otherwise classified, consisting of temporary services, standby fire protection servicely, services for which speical contracts are in effect, etc.

Special service includes the following:

- 4.5 Special contracts. When the applicant's requirements for water are unusual or large, or necessitate considerable special or reserve equipment or capacit the city reserves the right to make special contracts, the provisions of which are di erent from and have exceptions to the regularly published water rates, rules, and regulations. This special contract shall be in writing and signed by the applicant and the city.
- 4.6 Resale of water. Resale of water shall only be permitted under special contract, in writing, between the city and the person or party selling the water.
- 4.7 Service preference. In case of shortage of supply, the city reserves the right to give preference in the matter of furnishing service to customers and interests of the city from the standpoint of public convenience or necessity. Water service to users outside the city limits shall, at all times, be subject to the prior and superior rights of the customers with the city.

Section 5. Application for Service.

5.1 Application form. Each applicant for water service shall sign an application form provided by the city giving date of application, location of premise whether they have been served before, the date on which applicant desires to have service begin, purpose for which service is to be used, the address for mailing or delivery of bills, the applicant's address (owner, tenant, or agent), the class and size of service, and such other information as the city may reasonably require. In signing the application, the customer agrees to abide by the regulations of the city water system. The application is merely a written request for service and does not bind the city to serve.

5.2 Deposits and establishment of credit. At the time application for service is made, the applicant shall establish his credit with the city.

- 5.2.1 Establishment of credit. The credit of the applicant will be deemed established:
- a. If the applicant makes a cash deposit with the city to secure payment of bills for service. The deposit shall be a sum equal to the estimated bill for one billing period but not less than \$10.00.
- b. If the applicant has promptly paid all accounts due the city for a period of 12 consecutive billing periods.
- 5.2.2 Deposits. At the time the deposit is given to the city, the applicant will be given a receipt for the same. The deposit is not be to considered a payment on account. The deposit will be returned to the customer when service to the customer is discontinued, provided all out-

standing bills have been paid. The city may, at its option, return the deposit without application, provided all bills have been paid promptly for 12 consecutive billing periods. The city will not pay interest on any deposit.

- 5.2.3 Forfeiture of deposit. If an account becomes delinquent and it is necessary to turn off the service, the deposit shall be applied to the unpaid balance due. Water service will not be restored to that customer at the same or different premises until all outstanding bills due the city have been paid and the cash deposit replaced.
- 5.3 Application amendments. Customers desiring a material change in the size, character, or extent of equipment or operation which would result in a material change in the amount of water used shall give the city written notice of such change prior to the change and the application for service shall be amended.

Customers desiring a change in the size, location, or number of services shall fill out an amended application.

Section 6. Main Extensions.

- 6.1 Within the city limits. Water main extensions to areas within the city limits not included in area initially served shall be installed under the procedure established by the city charter for public improvements. Each property benefited by such extension shall be assessed its proportionate share of the cost of the extension.
- 6.2 Outside the city limits. Water mains outside the city limits shall be extended only at the expense of the customers served. The main extensions shall become the property of the city at the time service is provided. The city shall determine the size of the main extension. Extensions outside the city limits shall be installed by the city or by contractors approved by the City. The installation procedures and materials used shall be in accordance with plans and specifications approved by the city.
- 6.3 Locations of extensions. The city will make water main extensions only on rights-of-way, easements, or publicly owned property. Easements or permits secured for main extensions shall either be obtained in the name of the city or transferred to the city, along with all rights and title to the main at the time service is provided to the customers paying for this extension.

Section 7. Services.

- 7.1 Definition. The "service connection" shall be that part of the water distribution system which connects the meter to the main and shall normally consist of corporation stop, service pipe, curb stop, meter, meter yoke, and meter box. The "customer service line" shall be that part of the piping on the customer's property that connects the service to the customer's distribution system.
- 7.2 Ownership, installation, and maintenance. The city shall own, install, and maintain all services and installation and maintenance shall only be performed by authorized employes of the city. The customer shall own, install, and maintain the customer service line.
- 7.3 Service connection charge. At the time the applicant files for service where no service previously existed, or if he is filing for a change in service size or location, he shall submit with his application a service connection charge if applicable.

This charge is to cover the cost to the city to install the service from the main to and including the meter and the meter housing. The service connection charge shall be as set by resolution of the council.

7.4 Size of service. The city will furnish and install a service of such size and at such locations as the applicant requests, provided such requests are reasonable and that the size requested is one that is listed by the city. The minimum size of service pipe shall be 3/4 inch. The city may refuse to install a service

line which is undersized or oversized, as determined by a study and report of the superintendent.

7.5 Changes in service size. Permanent changes in the size of the service line requested by the customer shall be paid by the customer on the basis of actual cost to the city for making the change.

7.6 Length of service. Where the main is in a public right-of-way, the meter will be placed at the right-of-way line nearest the property to be served for the standard connection fee, provided the length of service does not exceed the width of the right-of-way.

Where the main is on an easement or publicly owned property other than designated rights-of-way, the service shall be installed to the boundary of the easement or public property by the city, provided the length of service does not exceed 30 feet.

If, in either case cited above, the length of service line to the meter location exceeds the maximum stated, the applicant shall pay the extra cost of the line on the basis of actual cost to the city for labor, materials, and equipment rental plus 15 per cent.

7.7 Number of service connections on premises. The owner of a single parcel of property may apply for and receive as many services as he and his tenants require, provided his application or applications meet the requirements of the policies, rules, and regulations.

7.8 Standby fire protection service connections.

7.8.1 Purpose. Standby fire protection service connections of 2-inch size and larger will be installed only if adequate provisions are made to prevent the use of water from such services for purposes other than fire extinguishing. Sealed fire sprinkler systems with water-operated alarms shall be considered as having such provisions. The city may require that suitable detector check meter be installed in the standby fire protect service connections, to which hose lines or hydrants are connected. All piping on the customers' premises shall be installed in accordance with the plumbing code of the state of Oregon.

7.8.2 Charges for service. Charges for standby fire protection service will be as stated in the published water rate schedule. No charge will be made for water used in the standby fire protection services to extinguish accidental fires or for routine testing of the fire protection system. The customers shall pay the full cost of the standby fire protection service connection, any required detector check meters, and any required special water meter installed solely for the service to the standby connection.

7.8.3 Violations of regulations. If water is used from a standby pipe connection service in violation of these regulations, an estimate of amount used will be computed by the city. The customer shall pay for the water used at the regular rates, including the minimum charge based on the size of the service connection and subsequent bills rendered on the basis of the regular water rates.

7.9 Fire service connections other than standby. A service having fire protection facilities on the premises and water for other purposes flowing through the same service connection shall be considered as an ordinary service and shall be metered. All water used through that service, regardless of its use, will be charged at the regular rates.

7.10 Temporary service connections. For water service of a temporary nature, applicants shall be required to pay in advance the estimated cost of install and removal of metering equipment and materials, plus a reasonable depreciation charfor the use of equipment and material owned and furnished by the city. The applican

shall also pay his water bill in advance based on an estimate of the quantity to be used, or he shall otherwise establish satisfactory credit.

- 7.10.1 Time limit. Temporary service connections shall be disconnected and terminated within six months after installation unless an extension of time is granted in writing by the city.
- 7.10.2 Charge for water served. Charges for water furnished through a temporary service connection shall be at the established rates set forth in the current water rate schedule.
- 7.10.3 Installation charge and deposits. The applicant for temporary service will be required:
 - a. To pay the city, in advance, the estimated cost of installing and removing all facilities necessary to furnish each service.
 - b. To deposit an amount sufficient to cover bills for water during the entire period such temporary service may be used, or to otherwise establish credit approved by the city.
 - c. To deposit with the utility an amount equal to the value of any equipment loaned by the city to such applicant for use on temporary service. This deposit is refundable under the terms of subparagraph 7.10.4 hereinafter.
- 7.10.4 Responsibility for meters and installation. The customer shall use all possible care to prevent damage to the meter or to any other loaned facilities of the city. If the meter or other facilities are damaged, the cost of making repairs shall be deducted from the deposit refund. If the loaned materials are returned in satisfactory condition and all bills paid, the full amount of the equipment deposit will be returned to the temporary customer at the termination of service.
 7.11 Customer's Plumbing.
- 7.11.1 Plumbing code. The customer's plumbing, which shall include the customer's service line and all plumbing, piping, fixtures, and other appurtenances carrying or intended to carry water, sewage, or drainage, shall comply with the plumbing code of the state of Oregon.
- 7.11.2 Control valves. Customers shall install a suitable control valve in the customer service line as close to the meter as possible, the operation of which will control the entire water supply to the premises served.

It shall be a violation of these rules and regulations for the customer to operate or cause unauthorized operation of the meter stop or any other appurtenances on the service connection.

Section 8. Meters.

- 8.1 Ownership. The city will own and maintain all water meters. The city will not pay rent or any other charge for a meter or other water facilities, including housing and connections, located on a customer's premises.
- 8.2 Installation. Installation of water meters shall be performed only by authorized employes of the city. All meters shall be sealed by the city at the time of installation, and no seal shall be altered or broken except by one of its authorized employes.
- 8.3 The size and type of meter. Applicant may request and receive any size meter regularly stocked or furnished by the city, provided the request is reasonable and further provided that the meter is not greatly oversized or undersized, as determined by the superintendent. The city reserves the right to determine the type of meter to be installed.
- 8.4 Location of meters. Meters shall normally be placed at the curb or property lines; the meter will be installed wherever the applicant desires within reason, but the location must be approved by the city. The meters will not be located

in driveways or other locations where damage to the meter or its related parts may

- 8.5 Joint use meters. The joining of several customers to take advantage of the single minimum charges and large quantity rates shall be prohibited, except under special contract, in writing, with the city.
- 8.6. Changes in size or location. If, for any reason, a change in size of a meter and service is required, the installation will be accomplished on the basis of a new connection, and the customer's application shall be amended. Meters or services moved for the convenience of the customer will be relocated only at the customer's expense.
- Section 9. <u>Water Rates</u>. The water rates to be charged for each class of service, including minimum charges, charges for water used over the specified minimum, and service connection charges, shall be published in a separate schedule. This schedule approved by the city council shall become a part of this section of these rules and regulations. These water rates may be revised at any time without invalidating the remainder of these rules and regulations.

Section 10. Notices.

- 10.1 Notices to customers. Notices from the city to the customer will normally be given in writing and either mailed or delivered to him at his last known address. Where conditions warrant and in emergencies, the city may notify either by telephone or messenger.
- 10.2 Notices from customers. Notices from the customer to the city may be given by the customer or his authorized representative orally or in writing at the city hall.

Section 11. Billing and payment.

11.1 Meter readings. Meters will be read and customers billed on the basis of the meter reading to the nearest 100, that is, no charge will be made for amounts from 1 to 49, and the charge for amounts from 50 to 99 will be for 100.

The city will keep an accurate account on its books of all readings of meters and such account, so kept, shall be offered at all times, places, and courts as prima facie evidence of the use of water service by the customer.

11.2 Rendering of bills.

11.2.1 Billing period. Meters shall be read and bills rendered therefor monthly.

11.2.2 Bills for other than normal billing period. Opening or closis bills, or bills that for any other reason cover a period containing 10 per cent more days or 10 per cent less days than in the normal billing period, shall be prorated.

11.2.3 Bills for more than one meter. All meters supplying a customer's premises shall be billed separately, except that where the city has, for operating purposes, installed two or more meters in place of one, the readings may be combined for billing.

- 11.3 Disputed bills. When a customer disputes the correctness of a bill, he shall deposit the amount of the disputed bill at the time the complaint is lodged to preclude discontinuance of service pending final settlement of the bill or bills. Subsequent bills shall be paid or placed on deposit in a similar manner. Failure of the customer to make such a deposit shall warrant discontinuance of service, as proviunder subsection 11.6 of these rules and regulations.
- 11.4 Failure to read meters. In the event that it shall be impossible or impractical to read a meter on the regular reading date, the water consumption shall be prorated on the basis of 30 days per month and the total water consumption for billing purposes for that period shall be estimated.

- 11.5 Payment of bills. Each bill rendered shall contain the final date on which payment is due. If the bill is not paid by that date, the account shall be considered delinquent unless other arrangements have been made with the city in writing that specify another due date.
 - 11.6 Delinquent accounts.
 - 11.6.1 Delinquent notice. A reminder of account delinquency shall be sent, at the discretion of the city, to each delinquent account on or about 30 days after the account becomes delinquent.
 - 11.6.2 Turnoff notice. On or about 40 days after an account becomes delinquent, a turnoff notice shall be sent to the customer. Said notice shall state a date on which water will be turned off if the delinquent account is not paid in full prior thereto.
 - 11.6.3 Service turnoff. On the turnoff date, the meter reader or other agent of the city shall deliver a written notice to the customer stating that the water service is being turned off until all delinquent amounts have been paid. The meter reader or other agent of the city shall immediately thereafter turn off the service. A delivery to any person residing at the address served by the meter shall be considered a delivery to the customer. If there is no person present at the address served, then the notice may be left on the premises stating that water service will be discontinued on the following morning. If delinquent bills are not paid by the following morning, the meter reader shall return to the premises, shut off the water service, and leave a notice that the water service has been turned off until all delinquent accounts have been paid.
 - 11.6.4 Service charge. In all instances where water has been turned off because of delinquent accounts, a \$5.00 service charge shall be made for the restoration of service and replacement of the cash depost, as stated in subsection 5.2 herein, will be required.
 - 11.6.5 Installation payments of delinquent accounts. In cases of extreme hardship, the city shall have the discretion of renewing service to a delinquent account upon receipt of a satisfactory installment plan for the payment of the overdue amount.

Section 12. Meter Error.

12.1 Meter accuracy. All meters will be tested prior to installation. No meter will be placed in service or allowed to remain in service which is known to have an error in registration in excess of 2 per cent under conditions of normal operation.

12.2 Meter test.

12.2.1 Standard test. Meter tests will be conducted in accordance with standards of practice established by the American Water Works Association.

12.2.2 On customer request. A customer may, giving not less than seven days' notice, request the city to test the meter serving his premises. The city will require the customer to deposit the testing fee. This fee shall be \$5.00 for meters 1 inch and smaller and for meters larger than 1 inch shall be an estimate of the cost of testing the meter as determined by the superintendent. The deposit will be returned to the customer if the test reveals the meter to overregister more than 2 per cent under conditions of normal operation. If the meter is operating satisfactorily or if the meter underregisters more than 2 per cent under the standard test conditions, the deposit shall be forfeited to the city. Customers may, at their option, witness any meter tests which they request.

12.2.3 On city request. If, upon comparison of past water usage, it appears that a meter is not registering properly, the city may, at its

option, test the meter and adjust the charges accordingly if the meter either overregisters or underregisters. No charge for meter testing will be made to the customer for the meter test under these conditions.

12.3 Adjustment of bills for meter error.

- 12.3.1 Fast meters. When, upon test, a meter is found to be register more than 2 per cent fast under normal operating conditions, the city will refund to the customer the full amount of the overcharge, based on correcte meter readings, not exceeding two regular billing periods that the meter was in use.
- 12.3.2 Slow meters. When, upon test, a meter is found to be register more than 10 per cent slow, the city may bill the customer for the amount of the undercharge, based upon corrected meter readings, not exceeding two regular billing periods that the meter was in use.
- 12.3.3 Nonregistering meters. The city will bill the customer for water consumed while the meter was not registering. The bill will be computed upon an estimate of consumption based either upon the customer's prior use during the same season of the previous year, or upon a reasonable comparison with the use of other customers receiving the same class of service during the same season and under similar circumstances and conditio or both.

Section 13. Discontinuance of Service.

13.1 On customer request. Each customer about to vacate any premises supplied with water service by the city shall give the city written notice of his intentions at least two days prior thereto, specifying the date service is to be discontinued; otherwise, he will be responsible for all water supplied to such premisountil the city shall receive notice of such removal.

At the time specified by the customer that he expects to vacate the premise where service is supplied or that he desires to be discontinued, the meter will be read and a bill rendered which is payable immediately. In no case will the bill be less than the proportionate share of the monthly minimum specified in the schedule applying to the class or classes of service furnished.

- 13.2 Nonpayment of bills. A customer's water service may be discontinued if the water bill is not paid in accordance with the procedures listed in subsection 11.6 of these rules and regulations.
 - 13.3 Improper customer facilities.
 - 13.3.1 Unsafe facilities. The city may refuse to furnish water and may discontinue services to any premises without prior notice where plumbing facilities, appliances, or equipment using water are dangerd unsafe, or not in conformity with the plumbing code of the state of Oregon.
 - 13.3.2 Cross connections. A cross connection is defined as any physical connection between the water system and another source.
 - The city will not serve premises where a cross connection exists unles
 - The customer can demonstrate to the board that the faciliti will not endanger the public water supply;
 - (2) The customer can present the installation plans approved by the Oregon State Board of Health;
 - (3) The customer can show conclusively that the facilities were installed as approved; and
 - (4) The overall plan will not conflict with the best interests of the city of Lexington.
- 13.4 Water waste. Where water is wastefully or negligently used on a customer's premises, seriously affecting the general service, the city may discontinuous

service if such conditions are not corrected after due notice by the city.

13.5 Service detrimental to others. The city may refuse to furnish water and may discontinue service to any premises where excessive demand by one customer will result in inadequate service to others.

13.6 Fraud or abuse. The city will refuse or discontinue service to any premises where it is deemed necessary to protect the city from fraud or abuse. Discontinuance of service from one or both of these causes will be made immediately upon receipt of knowledge by the city that the condition or conditions exist.

13.7 Unauthorized turn-on. Where water service has been discontinued for any reason and the water is turned on by the customer or other unauthorized person, the water may then be shut off at the main or the meter removed. The charges for shutting off the water at the main or removing the meter shall be computed at actual cost to the city plus 15 per cent overhead, but not less than \$5.00. These charges shall be billed to the offending customer and water shall not be furnished to the premiuntil such charges are paid and the city has reasonable assurances that the violation will not reoccur.

13.8 Noncompliance with regulations. The city may, upon five days' notice, discontinue service to a customer's premises for failure to comply with any of the provisions of these regulations.

Section 14. Restoration of Service. Restoration of service after discontinuance for nonpayment of bills shall be made after payment of current and past-due charges plus \$5.00 for restoration charge and posting a deposit as herein-before provided.

Restoration of service after discontinuance of service for unsafe facilities, water waste, fraud, abuse, or for noncompliance with any of the policies, rules, or regulations will only be made after the irregularity has been corrected and the city has been assured that the irregularity will not reoccur. The restoration charge shall be \$5.00 plus any other charges due or past due that the city may have incurred to correct the irregularity.

Section 15. Unusual Demands. When an abnormally large quantity of water is desired for filling a swimming pool, tank, or for other purposes, arrangements must be made with the superintendent prior to taking such water.

Permission to take water in unusual quantities will be given only if the city facilities and other consumers are not inconvenienced.

Section 16. Access to Property. The duly appointed employes of the city, under the direction of the superintendent, shall have free access at all reasonable hours of the day to any and all parts of structures and premises in which water is or may be delivered for the purpose of inspecting connections, the conditions of conduits and fixtures, and the manner and extent in which the water is being used. The city does not, however, assume the duty of inspecting the customer's line, plumbing, and equipment, and shall not be responsible therefor.

Section 17. Responsibility for Equipment.

17.1 Responsibility for customer equipment. The city shall not be liable for any loss or damage of any nature whatsoever caused by any defect in the customer's line, plumbing, or equipment, nor shall the city be liable for loss or damage due to interruption of service or temporary changes in pressure.

The customer shall be responsible for valves on his premises being turned off when the water service is turned on.

17.2 Responsibility for city equipment. City equipment on the customer's

premises remains the property of the city and may be repaired, replaced, or removed by the city employes at any time without consent of the customer. No payment will be made to the property owner for the right to install, maintain, replace, or remove city equipment on his premises. The property owner must exercise reasonable care to prevent damage to equipment and must in no way interfere with its operation. The property owner must keep vicious dogs or other animals secured or confined to avoid interference with the utility operation and maintenance.

17.3 Damage to city equipment. The customer shall be liable for any damage to equipment owned by the city which is caused by an act of the customer, his tenant agents, employes, contractors, licensees, or permittees. Damage to equipment shall include but not be limited to breaking of seals and locks, tampering with meters, injury to meters, including but not limited to damage by hot water or steam, and damaged meter boxes, curb stops, meter stops, and other service appurtenances.

Section 18. Fire Hydrants.

18.1 Operation. No person or persons other than those designated and authorized by the city shall open any fire hydrant belonging to the city, attempt to draw water from it, or in any manner damage or tamper with it. Any violation of this regulation will be prosecuted according to law. No tool other than special hydrant wrenches shall be used to operate a hydrant valve. In cases where a temporary service has been granted and water is received through a fire hydrant, an auxiliary external valve will be provided to control the flow of water.

18.2 Moving a fire hydrant. When a fire hydrant has been installed in the locations specified by the proper authority, the city has fulfilled its obligation. If a property owner or other party desires to change the size, type, or location of the hydrant, he shall bear all costs of such changes. Any change in the location of a fire hydrant must be approved by the city.

Section 19. <u>Penalties</u>. Any person violating any of the provisions of these rules and regulations shall, upon conviction thereof, be punished by a fine of not more than \$300.00.

Section 20. Amendments.

20.1 City council. The city council shall have the power to establish water rates and charges and amend these policies, rules, and regulations as may be necessary for the efficient operation of the water system.

20.2 Suspension of rules. No employe of the city is authorized to suspend or alter any of the policies, rules, and regulations cited herein without specific approval or direction of the city council as stated in subsection 20.1 abov except in cases of emergency involving loss of life or property or which would place the water system operation in jeopardy.

Section 21. Constitutionality, Saving Clause. If any clause, sentence, paragraph, section, or portion of this code for any reason thall be adjudged invalid by a court of competent jurisdiction, such judgment shall not affect, impair, or invalidate the remainder of this code, but shall be confined in its operation to the clause, sentence, paragraph, section, or portion of this code directly involved in the controversy in which the judgment is rendered.

Passed by the council and approved by the mayor Include

panid June 19, 1974

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