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JOINT MANAGEMENT AGREEMENT BETWEEN  
CITY OF ADAMS  
AND UMATILLA COUNTY

City of Adams City Council Resolution Number 01-14  
Umatilla County Board of Commissioners Resolution Number \_\_\_\_\_

This agreement is entered into this 12<sup>th</sup> day of June, 2001 by the City of Adams, an incorporated municipality of the State of Oregon, hereinafter referred to as the "City" and Umatilla County, a political subdivision of the State of Oregon, hereinafter referred to as the "County".

RECITALS:

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

NOW THEREFORE, THE CITY AND COUNTY AGREE AS FOLLOWS:

**1. Definitions:**

- 1.1. Comprehensive Plan - A plan adopted by the City or County which meets the requirements of ORS 197.015; generally, a coordinated land use map and policy statements interrelating all functional and natural systems and activities relating to the use of lands.
- 1.2. Contiguous - For the purpose of this agreement, contiguous shall be defined as touching or adjoining.
- 1.3. Days - In all cases, the reference to days in this agreement shall be understood to mean calendar days.
- 1.4. Land Use Actions - Land Use and Limited Land Use Decisions defined by ORS 197.015; generally a decision by the City or County applying standards of the comprehensive plans or land use regulations to particular pieces of property. Examples include, but are not limited to variances, conditional use permits, partitions, subdivisions, planned unit developments, road dedications and vacations, and amendments to the zoning map for specific properties.
- 1.5. Land Use Regulation - County or City zoning ordinances, subdivision ordinances adopted under ORS 92.044 or 92.046, or similar ordinances establishing standards for implementing the comprehensive plan. For the purpose of this JMA, substantive provisions of land use regulations shall be those sections of the ordinance establishing outright uses, conditional uses and zone requirements such as minimum lot sizes, the zoning map, and design standards for required improvements.
- 1.6. Legislative - An amendment to the City of County comprehensive plans and/or land use ordinances or a plan or zone maps that applies to a large number of parcels of land.
- 1.7. Major Improvement Projects - Projects that involve capital improvements for new or replacement facilities. These projects are budgeted as separate line items in the local jurisdiction's capital improvement budget. They do not include routine facilities maintenance, such as cleaning, pavement patching, or repairs.
- 1.8. Periodic Review - A comprehensive plan and ordinance review process, which is mandated by the state for cities over 2,500 people and optional for cities with smaller populations. The process involves an assessment of plan and ordinance deficiencies, development of a work plan with the Oregon Department of Land Conservation and Development (DLCD) to address the deficiencies, and the completion of the work plan.

- 1.9. Procedural Requirements - Those sections of the land use ordinance which establish the review process for land use applications, including but not limited to determination of a complete application, notice, time frame for review, decision making authority, and appeal procedures.
- 1.10. Quasi-Judicial – A land use action, which involves the application of adopted City or County comprehensive plan policies and/or land use ordinance provisions to a specific land use application affecting identified parcels of land or property owners.
- 1.11. Substantive Provisions – Those sections of zoning and subdivision ordinances, which establish design standards and required improvements.
- 1.12. Urban Growth Area (UGA) - That unincorporated area between the City Limits and the Urban Growth Boundary in which urban services and facilities can be extended and development at urban intensity and density will occur.
- 1.13. Urban Growth Boundary (UGB) - A mutually agreed upon line, identified in both the City and County comprehensive plans, which delineates the outer extent of the UGA and the limits of urban growth (see Exhibit A).
- 1.14. Urban Reserve Area – An unincorporated area located outside of the UGB, which should accommodate future expansion of the UGB when and if such an action is justified, as mutually agreed by the City and County.

2. **Coordination of Comprehensive Planning and Development**

2.1. Amendments to the City's Plan or Land Use Regulations.

Amendments to the City plan text, land use regulations, UGB, map(s), or designation of urban reserve areas that follow the state periodic review or post acknowledgement procedures shall be enacted in accordance with the procedures established in this section.

2.1.1 City Processing of Amendments

- a. The City shall be responsible for preparing and/or reviewing all legislative and quasi-judicial comprehensive plan amendments within the UGB.
- b. Amendments to the City's Comprehensive Plan, land use regulations and/or maps may be initiated by the City, the County, or an affected person, by application to the City.
- c. If the City elects to amend its comprehensive plan using the Periodic Review process, the City and County shall meet to discuss and develop a proposal for Periodic Review procedures relating to the UGA and UGB, including how the County will participate in Periodic Review. The City will present this proposal to the City Planning Commission at its first hearing on the analysis of the plan. Any comments received from the County, shall be considered by

the City Planning Commission in developing the work program to comply with Periodic Review.

- d. Amendment applications shall be processed by the City, with notification to the County at least thirty (30) days prior to the City Planning Commission's first hearing on the proposed amendment.
- e. The County shall respond in writing, even if it has no comment.
- f. Comments received from the County shall be considered by the City Planning Commission when making its recommendation to the City Council.
- g. The County may also provide comments prior to the City Council hearing, in which case, the Council shall consider the County's comments in making its decision.
- h. The City shall provide written notification of its final decision to the County within seven (7) days.

#### 2.1.2 County Adoption of City Amendments in the UGA

- a. Because all of the land within the current UGB is annexed, there is no UGA. However, if the UGB is expanded in the future, according to the procedure described in Section 2.1.1 above, the provisions in Subsections 2.1.2 b, and c shall apply.
- b. All adopted amendments to the City's Comprehensive Plan, land use regulations, and/or maps affecting the UGA or UGB shall be referred to the County for adoption as amendments to the County Plan and Development Ordinance.
- c. The County must adopt the amendments approved by the City for these to be applicable in the UGA. The County hearing to consider adoption shall be scheduled for hearing within ninety (90) days of the City notification.

### 2.2. Review Process for Land Use Actions in the UGA

#### 2.2.1 County Procedures

- a. In the event the City expands the UGB, according to the procedure described in Section 2.1 above, the County shall retain responsibility for land use actions affecting land within the resulting City UGA, until after annexation.
- b. The County shall incorporate the portion of the City's Comprehensive Plan that addresses the UGA into the County's Comprehensive Plan.
- c. County zoning designations shall be applied to land in the UGA. Applicable County ordinance procedures and standards shall be used evaluate land use actions within the UGA. Following annexation, the City zoning and ordinances shall apply.
- d. Applications for land use actions within the UGA shall be processed by the County according to its adopted procedural requirements for reviewing land use actions. Within seven (7) days of the date the application is accepted as complete, and not less than twenty-one (21) days before a scheduled public hearing, a copy shall be sent to the City, with a notification of the hearing date.

- e. The County shall respond to City comments, as appropriate, and consider them in making its decision.
- f. If a major change is made in the proposal, or significant new information is submitted that was not included in the original request, the County shall, within seven (7) days, refer it back to the City to review and comment within twenty-one (21) days.
- g. Notification of the County's final written decision shall be provided to the City within seven (7) days.

#### 2.2.2 City Procedures

- a. Upon receipt of notification from the County, the City shall review the application and provide written comments within twenty-one (21) days.
  - 1. If the County is to make an administrative decision, the City shall provide the County with either a written response or request a public hearing.
  - 2. In all other cases, the Planning Commission will make a recommendation to the City Council, which shall review the request at its first opportunity and submit its recommendation to the County.
- b. If the City has no comment, this response shall be provided in writing.
- c. If a major change is made in the proposal, or significant new information is submitted that was not included in the original request, the County shall, within seven (7) days, refer it back to the City to review and comment within twenty-one (21) days. In the case of an administrative decision, the City may request a hearing.

#### 2.2.3 Opportunity for Appeal by the City

If the City participates in the County decision, the City has the right to appeal the County's decision in accordance with the appeals process specified in the County's Ordinance, applicable state statute, or state administrative rules.

### 2.3 Coordination of Other City and County Actions

#### 2.3.1 City Actions

The City shall coordinate with and seek comments from the County regarding the following items, for which the City has ultimate decision making authority, and which affect land use within the UGA. These actions include:

- a. Major improvement projects sponsored by the City for transportation, water, or drainage improvements; and
- b. Proposal for the extension of any City service, utility or facility or their respective service areas.

#### 2.3.2 County Actions

The County shall coordinate with and seek comments from the City regarding the following items, for which the County has ultimate decision making authority, and which affect land use within the UGA. These actions include:

- a. Major improvement projects sponsored by the County for transportation, drainage, or solid waste improvements;

- b. Proposal for formation of, or changes of organization, boundary or function of special districts, as these terms are defined in ORS 198.705 to ORS 198.710; and
- c. County road vacations.

### **3. City Services**

#### **3.1 City Water Service**

##### **3.1.1 Service Extensions**

The City shall require annexation prior to extending water services to any property within the UGA at the affected property owner's request and expense.

##### **3.1.2 City Facilities**

City-operated facilities, such as water reservoirs, may be located outside of the UGB when it is determined by the City and County to be necessary for the proper operation of the utility system.

#### **3.2 Other Urban Services**

##### **3.2.1 Fire Protection**

Fire protection is provided by the East Umatilla County Rural Fire Protection District. The City and County shall notify the District of all comprehensive planning and development actions and provide an opportunity to comment in the manner provided in Section 2 of this agreement.

##### **3.2.2 Law Enforcement**

The Umatilla County Sheriff provides, and shall continue to provide, law enforcement services for the City. The City and County shall notify the County Sheriff of all comprehensive planning and development actions and provide an opportunity to comment in the manner provided in Section 2 of this agreement.

### **4. Roads and Transportation**

#### **4.1 Road Jurisdiction and Maintenance Responsibility**

##### **4.1.1 Jurisdiction**

As of June 2001, the City has jurisdiction of all public streets and associated rights-of-way within the UGB, except for the following:

<i>Street</i>	<i>Jurisdiction/Number</i>	<i>Location</i>
a. Main St.	County 745	In city, north of Commercial
b. Commercial St.	County 745	Within city, Main St. to OR Hwy. 11
c. College St.	County 973	In city, south of Preston
d. Oregon-Washington Hwy.	State 11	Along western UGB

#### 4.1.2 Maintenance

Roads, streets, alleys, and other public improvements within public street rights-of-way shall be maintained by the agency that has jurisdiction as noted in Section 4.1.1.

#### 4.2 Street and Road Transfer to the City

##### 4.2.1 General Policy

The City and County agree in principle that except for state highways, it is most appropriate for all streets within the City limits to be under the jurisdiction and maintenance responsibility of the City. However, it is also recognized by both parties that the City has limited funding, staff expertise, and equipment to maintain or construct streets. The City and County agree to look for opportunities to transfer street jurisdiction to the City with a method for financing and providing street maintenance and/or construction.

##### 4.2.2 Annexation

When property is annexed, the entire width of any contiguous County street right-of-way shall be transferred to City jurisdiction unless the City and County mutually agree that such a change in jurisdiction should be deferred.

##### 4.2.3 Land Use Actions

When a land use action is approved by the City, the entire width of any contiguous County street right-of-way shall be transferred to City jurisdiction unless the City and County mutually agree that such a change in jurisdiction should be deferred. As part of such land use action, the City shall require as a condition of approval:

- a. Street improvements along the property frontage, which are consistent with the street standards adopted by the City; or
- b. Execution of an irrevocable consent agreement, which obligates present and future property owners to participate in financing street improvements in the future.

#### 4.3 Transportation System Plan Implementation

The 2001 Adams Transportation System Plan (TSP) describes street improvement and maintenance projects that should be completed over the next 20 years. Funding will be difficult to obtain for all of these projects. However, the City and County will make the commitment to work together to obtain the funding to complete the capital improvement program noted in Chapter 7 of the TSP. In particular, the City and County will prioritize projects and pursue the funding options described in Chapter 8 of the TSP.

#### 4.4 Issues to be Evaluated

##### 4.4.1 Funding Strategies

The City and County agree to evaluate the following funding strategies presented in the 2001 Adams TSP and determine their feasibility:

- a. System Development Charges;
- b. Vehicle Registration Fees; and
- c. Local Improvement Districts.

##### 4.4.2 Coordinated Maintenance

The City and County currently coordinate street maintenance and construction activities. Given the present situation of decreasing revenues and increasing demand, the City and County shall evaluate ways to improve efficient use of street maintenance and construction funds for the common benefit of City and County residents and businesses.

#### 4.5 Coordinated Grant Applications

Chapter 8 of the TSP describes a number of grant and loan programs, which are potentially available to the City and County. The City and County commit to working closely together to obtain grants for street maintenance and construction within the UGA.

#### 4.6 Public Transit

The City and County shall evaluate methods for providing public transit services for the local area.

### 5. **Annexation**

#### 5.1 Annexation Procedure

Annexation of a property shall be in accordance with relevant methods and procedures in the ORS and City ordinances. At the time of annexation, the City shall apply the appropriate zoning designation to the property and amend the City Zoning Map accordingly.



5.2 City Addresses

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

6. **Review, Amendment, Severability, Termination of Agreement**

6.1. Scheduled Reviews of the JMA

The County shall be responsible for initiating a joint review of this agreement at a minimum of every five (5) years to evaluate the effectiveness of the processes set forth, address new matters of state law, or changed conditions within the urban growth boundary.

6.2. Amendments to the JMA

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

6.2.1 Request

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

6.2.2 Resolution, Modification and Mediation

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

6.3. Severability of JMA Provisions

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

6.4. Termination of JMA

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

6.4.1 Public Hearing Notice and Public Comment

- a. A public hearing shall be called by the party considering termination, giving the other party notice of hearing at least thirty (30) days prior to the scheduled hearing date. The thirty (30) day period shall be used by both parties to seek resolution of differences.

- b. Public notice of the hearing shall be in accordance with applicable Oregon statutes and administrative rules, but not less than twenty-one (21) days prior to the hearing.
- c. The party moving for termination shall state, in the public notice and at the hearing, the reasons for termination and the affect of the action on the UGA.
- d. Public comment shall be received regarding the action and considered by the party in its decision.

6.4.2 Conflict Resolution

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

6.4.3 Final Decision

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

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

CITY COUNCIL  
CITY OF ADAMS, OREGON

BOARD OF COUNTY COMMISSIONERS  
OF UMATILLA COUNTY, OREGON

Mark Youner  
Mayor

Emile M. Holmen  
Chair

Dan Classen  
Councilor

William S. Hana  
Commissioner

Marilyn Frenck  
Councilor

Jennis J. Roberts  
Commissioner



Richard D. Johnson  
Councilor

Dan Chase  
Councilor

Office of County Records

Attest: Deane Hemphill  
Records Officer

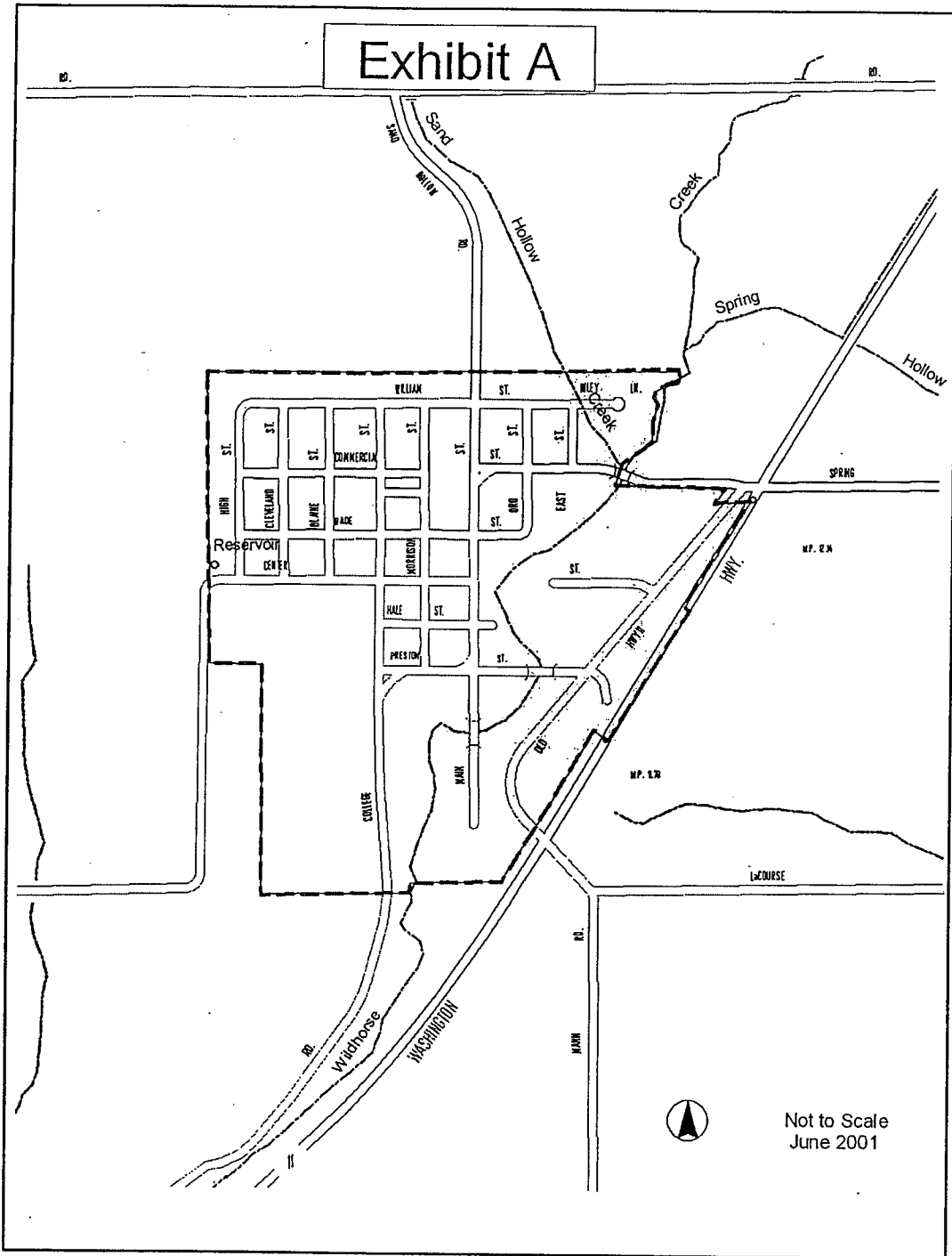
Gregory A. Gross  
Councilor



Attest: County Clerk

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# Exhibit A



<p><b>City of Adams</b></p>	Urban Growth Boundary	-----
	City Limits	

UMATILLA COUNTY, OREGON  
ORDINANCE # 94-07

CO-ADOPTING THE CITY OF ADAMS ORDINANCE #175, AMENDING THE CITY'S COMPREHENSIVE PLAN AND ZONING MAPS SO THE CITY LIMITS AND URBAN GROWTH BOUNDARY LINES ARE THE SAME; AND CLARIFYING LANGUAGE IN THE CITY ZONING ORDINANCE.

WHEREAS, The City of Adams adopted Ordinance #175 on January 10, 1994, amending the City Urban Growth Boundary, Zoning Maps and Zoning Ordinance; and

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

WHEREAS, The Umatilla County Planning Commission reviewed the Ordinance on April 14, 1994, and recommended unanimously that Ordinance #175 be co-adopted; and

WHEREAS, The County Board of Commissioners held a duly-advertised public hearing on May 5, 1994, at which time no opposition was raised; and

WHEREAS, Immediately following their hearing, the Board of Commissioners voted to co-adopt the City of Adams Ordinance #175.

NOW THEREFORE, be it ordained that the attached City of Adams Ordinance #175 is hereby co-adopted for the Adams Urban Growth Area, as an amendment to the City's Comprehensive Plan and Zoning Ordinance, which are already co-adopted.

BE IT ALSO ORDAINED that an "emergency" exists in order for these amendments to be applicable immediately, so as to conform to the City's action of January 10, 1994.

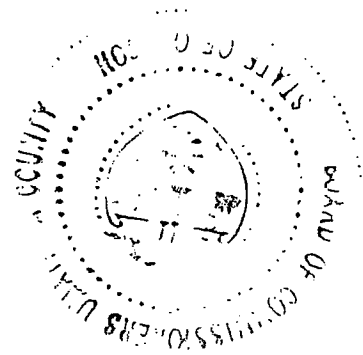
SIGNED this 11th day of May, 1994.

UMATILLA COUNTY BOARD OF COMMISSIONERS

William S. Hansell  
William S. Hansell, Chairman

Glenn Youngman  
Glenn Youngman, Vice-Chairman

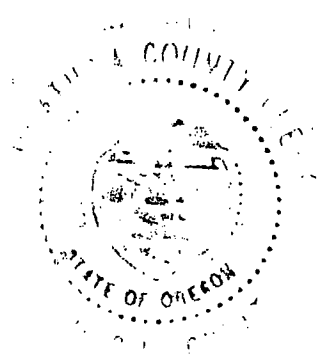
Emile M. Holeman  
Emile Holeman, Commissioner



ATTEST:

Gerrie McWright Deputy  
Thomas L. Groat, County Clerk

ATTACHMENT: City of Adams Ordinance #175



**CITY OF ADAMS**

**UMATILLA COUNTY, OREGON**

**ORDINANCE # 175**

**AN ORDINANCE AMENDING THE CITY OF ADAMS URBAN GROWTH AREA BOUNDARY AND AMENDING SUBSECTION 2.100 (2.104) OF ARTICLE 2; SUBSECTION 3.40 (3.42) OF ARTICLE 3 OF THE ZONING ORDINANCE**

**WHEREAS,** The City Council in reviewing the zoning ordinance wishes to make some changes for clarification of language and wants the Urban Growth boundary map to be the same as the city limits; and

**WHEREAS,** The City Council discussed these changes at the September 13, 1993, October 11, 1993, and November 15, 1993 council meetings, and

**WHEREAS,** City Council public hearing was scheduled January 10, 1994 at 7:15 p.m. in the City Hall, and

**WHEREAS,** Notices and explanation of the proposal were posted in several locations within the city on December 23, 1993, and

**WHEREAS,** Legal notice was published in the December 31, 1993 edition of the East Oregonian newspaper, and

**WHEREAS,** The public hearing was held as scheduled, at which time testimony was received, and

**WHEREAS,** The City Council carefully weighed the proposal in light of the Comprehensive Plan policies and the standards of the zoning and subdivision ordinances, and

**WHEREAS,** After regarding public testimony, the City Council approved the amendments based upon the following findings:

1. Because of the Department of Environmental Quality requiring larger area for septic services, the new Urban Growth Boundary line would give the city greater flexibility with what is within the city limits and still keep the slow to moderate growth rate.

2. Because of the new fertilizer plant and other employment opportunities in the nearby towns, there is a need for housing and industries.

3. Because the city is planning to up-grade their water distribution system, inclusion of the entire town and new Urban Growth Boundary would decrease overall cost.

4. Because the area on both sides of Wild Horse Creek which runs through the city is in the Flood Plain and cannot be developed.

5. This proposal does not promote urban development outside the city limits because the request occurs within the city limits.

6. Changing the urban growth boundary would not adversely effect the current use of any property within the city because the current use is similar to uses permitted and already existing in the City of Adams, and, there are no plans to change existing uses.

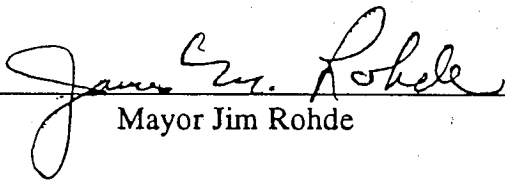
7. The subject area qualified for inclusion in the Urban Growth Boundary when the Comprehensive Plan was acknowledged in 1978, because it had direct access to public facilities and services. The area is part of the original plat which was recorded in 1883 and 1884 and there are named streets and alleys throughout the area belonging to the city. The area housed the original school for Adams along with two churches and some homes in the early years of existence. However, the subject area was placed outside the Urban Growth Boundary because of the planning practices in existence at the time the Comprehensive Plan was acknowledged.

8. Existing farming practices on nearby lands would not be affected by the addition of the subject property to the Urban Growth Boundary.


#### NOW THEREFORE

The Adams City Council ordains that the Urban Growth Boundary map, amendments to Subsection 2.100 (2.104) of Article 2 and Subsection 3.40 (3.42) of Article 3 of the Zoning Ordinance be amended as noted above.

ADOPTED this 10<sup>th</sup> day of January, 1994.

  
\_\_\_\_\_  
Mayor Jim Rohde

ATTEST:

  
\_\_\_\_\_  
Recorder Gilberta Lieuallen



CITY OF ADAMS

UMATILLA COUNTY, OREGON

ORDINANCE #175

AN ORDINANCE AMENDING THE CITY OF ADAMS URBAN GROWTH AREA BOUNDARY; AMENDING SUBSECTION 2.100(2.104) OF ARTICLE 2 AND SUBSECTION 3.40(3.42) OF ARTICLE 3 OF THE ZONING ORDINANCE. THE CITY OF ADAMS DOES ORDAIN AS FOLLOWS:

NATURE OF THE APPLICATION

The City of Adams requests that the Urban Growth Boundary be amended and that subsection 2.100(2.104) of article 2 and subsection 3.40(3.42) of article 3 of the zoning ordinance be amended.

1. The City of Adams is asking that the Urban Growth Boundary be expanded to the city limits.

2. SECTION 2.100 FLOODWAY ZONE (PERMANENT OPEN SPACE)

Subsection 2.104 PROHIBITED DEVELOPMENT states:

(3). Channel or floodway blockage.

The city wishes it to say:

(3). Any potential channel or floodway blockage.

3. SECTION 3.40 UTILITIES

Subsection 3.42 MUNICIPAL WATER SERVICE, states:

All new developments, except as otherwise provided, shall connect up with the city water system in a fashion approved by the city public works official, prior to occupancy.

The City of Adams wishes it to say:

All new developments shall connect up with the city water system and in a fashion approved by the city public works officials prior to occupancy.

RELEVANT FACTS

1. The City of Adams feels that having the city limits and UGB as one and the same will allow for more consistent growth and development over the next twenty (20) years.

2. Greater ease in planning and providing water and other infrastructures would result with identical placement of both city limits and UGB.

## RELEVANT CRITERIA

State Planning Goal #14 requires that any change in an urban growth boundary must be based upon consideration of the following factors:

1. Demonstrated need to accommodate long-range urban population growth requirements consistent with LCDC goals;
2. Need for housing, employment opportunities, and livability;
3. Orderly and economic provision for public facilities and services;
4. Maximum efficiency of land uses within and on the fringe of the existing urban area;
5. Environmental, energy, economic and social consequences;
6. Retention of agricultural land as defined, with Class I being the highest priority for retention and Class VI the lowest priority; and
7. Compatibility of the proposed urban uses with nearby agricultural activities.

## FINDINGS

The City Council finds:

1. Because of DEQ requiring larger area for septic services, the new Urban Growth Boundary line would give the city greater flexibility with what is within the city limits and still keep the slow to moderate growth rate.
2. Because of the new fertilizer plant and other employment opportunities in the nearby towns, there is a need for housing and industries.
3. Because the city is planning to up-grade their water distribution system, inclusion of the entire town and new Urban Growth Boundary would decrease overall cost.
4. This proposal does not promote urban development outside the city limits because the request occurs within the city limits.
5. Changing the urban growth boundary would not adversely effect the current use of any property within the city because the current use is similar to uses permitted and already existing in the City of Adams, and, there are no plans to change existing uses.

6. The subject area qualified for inclusion in the Urban Growth Boundary when the Comprehensive Plan was acknowledged in 1978, because it had direct access to public facilities and services. However the subject area was placed outside the Urban Growth Boundary because of the planning practices in existent at the time.

7. Existing farming practices on nearby lands would not be affected by the addition of the subject property to the Urban Growth Boundary.

#### CONCLUSIONS

1. The request is consistent with the Comprehensive plan polices and objectives, as approval of the request will place the Urban Growth Boundary at the city limits boundary, meeting the needs of the city for any future expansion and growth for the next twenty (20) years without the need for redesigning for additional infrastructures.

2. The request satisfies the criteria listed in State Planning Goal #14.

BEFORE THE BOARD OF COUNTY COMMISSIONERS  
FOR UMATILLA COUNTY

Regarding the adoption )  
of the City of Adams )  
Comprehensive Plan ) Ordinance No. 78-6  
as an amendment )  
to the Umatilla )  
County Comprehensive )  
Plan. )

*out of date*

WHEREAS, the City of Adams, Oregon, has adopted as part of its Comprehensive Plan an Urban Growth Boundary encompassing only a portion of the land within the Adams corporate city limits; and

WHEREAS, the City of Adams Comprehensive Plan designated as Agricultural those lands outside the Adams Urban Growth Boundary but within the Adams corporate city limits, hereinafter referred to as the Adams Farmland Area; and

WHEREAS, the City of Adams sought to obtain the benefits of Exclusive Farm Use zoning for the owners of property within the Adams Farmland; and

WHEREAS, the State of Oregon, has given only the counties the power to zone for Exclusive Farm Use pursuant to ORS. 215.203; and

WHEREAS, the City of Adams sought to delegate land use regulatory jurisdiction over the Adams Farmland to Umatilla County pursuant to ORS. 215.130 to obtain Exclusive Farm Use Zoning for the Adams Farmlands; and

WHEREAS, the City of Adams and Umatilla County proposed to enter into an agreement entitled the Adams Farmland Joint Management Agreement, which provides for Umatilla County administering Exclusive Farm Use Zoning and other land use controls within the Adams Farmland Area utilizing the City of Adams Comprehensive Plan and Umatilla County Zoning and Subdivision Ordinances, and providing opportunity for the Adams City Council to review and comment on many land use requests affecting the Adams Farmland area; and

WHEREAS, the Adams Farmland Joint Management Agreement was approved by Adams City Council on July 10, 1978, and was favorably reviewed by the Umatilla County Planning Commission on July 12, 1978; and

WHEREAS, it is preferable for Umatilla County to adopt the City of Adams Comprehensive Plan for the Adams Farmland prior to implementing land use controls in the Farmlands area; and

WHEREAS, the Umatilla County Planning Commission reviewed the City of Adams Comprehensive Plan and held a public hearing on June 14, 1978, and the Umatilla County Board of Commissioners reviewed the City of Adams Comprehensive Plan and held a public hearing on June 21, 1978 and adopted said Plan by resolution that day; and

WHEREAS, a public hearing on this ordinance and the Adams Farmland Joint Management Agreement was held before the Umatilla County Board of Commissioners on Wednesday, July 19, 1978, and notice of the hearing was published in the "East Oregonian" on July 8th and 14th, 1978; and

WHEREAS, the Umatilla County Board of Commissioners approved the Adams Farmland Joint Management Agreement on July 19, 1978.

the Board of County Commissioners for Umatilla County, Oregon hereby ordain as follows:

The Umatilla County Comprehensive Plan, originally adopted on April 6, 1972, is amended to adopt the City of Adams Comprehensive Plan for that land designated as being outside the City of Adams Urban Growth Boundary, but within the corporate city limits, referred to as the Adams Farmland Area as referenced and mapped in the City of Adams Comprehensive Plan as adopted by the City Council on May 23, 1978.

Dated this 19<sup>th</sup> day of July, 1978.

ATTEST: County Clerk

Jessie M. Bell  
Jessie M. Bell

UMATILLA COUNTY BOARD OF COMMISSIONERS

F. K. Starrett  
F. K. Starrett, Chairman

Ford Robertson  
Ford Robertson, Vice-Chairman

Barbara Lynch  
Barbara Lynch, Commissioner

ADAMS FARMLAND JOINT MANAGEMENT AGREEMENT

(revised 10 July 1978)

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

The terms of this Joint Management Agreement shall be applicable to the Adams Farmland area. For the purposes of this Agreement, the Farmland area shall be defined as that area of land extending from the City's Urban Growth Boundary out to the City's corporate limits. This area is designated Agricultural in the City's Comprehensive Plan. These features are mapped and referenced in the "City of Adams Comprehensive Plan" adopted on May 23rd, 1978, and hereby incorporated into and made a part of this document (see Attachment A).

This Joint Management Agreement is entered into pursuant to ORS Chapters 190 and 197 and the Oregon Statewide Planning Goals for two purposes; that of facilitating the preservation of agricultural lands within the City's corporate limits, and that of providing the benefits of Exclusive Farm Use zoning for farm owners within Farmlands 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 continued efficient farming of the agricultural lands within the City's corporate limits. *out of date*
- 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 PROVISIONS

- A. The City shall delegate to the County responsibility for land use decisions and actions affecting the Farmland area, in accordance with ORS 215.130, such responsibility to be relinquished over any land within this area upon its inclusion within the Urban Growth Boundary. The City will retain responsibility for land use decisions and actions within the Adams Urban Growth Boundary.
- B. The County shall incorporate that portion of the City's Comprehensive Plan which addresses the Farmland area into the County Comprehensive Plan.

- C. After the City's Comprehensive Plan has been reviewed by the County Board of Commissioners, and after County concurrence with and approval of the Plan for the area within the Urban Growth Boundary and adoption of the Plan for the Farmlands 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 Farmlands area shall be zoned for Exclusive Farm Use, as is consistent with the City's Comprehensive Plan. The County F-1 land use zone (see Attachment B) will be applied to the entire Farmlands area, and the provisions of the F-1 zone will apply as periodically amended, so long as said zone remains an Exclusive Farm Use zone.
- 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 Farmland area.

### III. REFERRED APPLICATION SITUATIONS

- A. The County Planning Department shall refer each of the following requests affecting the City Farmland area to the City for its review and comment within five (5) days of the date the request was filed with the County Planning Department. Except as noted below, zoning permits for permitted uses need not be referred to the City for review.
  - conditional use
  - variance
  - major partition
  - minor partition
  - standard zoning permits for the following permitted uses:
    - public or private schools
    - churches
    - utility facilities
    - hog farms, poultry farms, and feedlots
- B. The City Council shall review the request and submit its recommendation to the County Planning Department within ten (10) days of the date the request was received by the City.
- C. The City will post referred requests in the Adams Post Office at least three (3) days before the City Council meeting in which the request will be discussed. Public comment on the request will be invited.
- D. The City Council will hold a special meeting to address referred requests if a regularly scheduled Council meeting does not fall within the ten (10) day City review period.
- E. It is agreed that the County will refer any proposed discretionary action back to the City for its review and comment in the event such action was not addressed in the original request for review. The same time limitations imposed by Sections III A. and B above shall be applicable.

- F. The City shall delegate to the County final decision-making responsibility for all land use actions affecting the Adams Farmland area, but such decisions shall only be made after the receipt of timely recommendations from the City.
- G. Should no recommendations be forthcoming within the established response times, absent a request for an extension, the City shall be presumed to have no negative comment regarding the application.
- H. The County will utilize standard procedures for processing the various types of requests before and after referral to the City.
- I. After the County makes a decision on a request, the City shall be promptly informed of the action taken by the County. This clause applies to both requests involving referral to the City and to requests for permitted uses that need not involve City review.

#### IV. CITY SERVICES

- A. The City may extend water service to any site within the City's corporate limits. Extension of water service within the Farmlands area, however, requires approval by the County Planning Department in addition to normal City Council affirmation. Application for and extension of water service shall be at the property owner's request and expense.
- B. The City shall refer all requests for water service extension to the County Planning Department within five (5) days of receiving the request from the property owner.
- C. The County Planning Staff will review each request for water service extension into the Adams Farmland area. Notification will be sent to City Council as to the decision of the Staff and the reasoning behind the decision. This notice will be submitted within ten (10) days of the date the request was received by the County Planning Department. At the discretion of the Staff, a request may be referred to the County Planning Commission for action. The County review and action period would be extended to thirty (30) days if the County Planning Commission is involved.



V. COMPREHENSIVE PLAN AND IMPLEMENTATION MEASURE REVIEW AND AMENDMENT

- A. The City Comprehensive Plan, the County zoning and subdivision ordinances, and this Joint Management Agreement, shall be reviewed at least annually to determine conformity with changes in:
  1. Oregon Revised Statutes
  2. Oregon Case Law
  3. Oregon Statewide Planning Goals
  4. Requirements of the City
  5. Needs of residents or landowners within the City
  6. Concerns of affected governmental units
  7. County administration of land use regulations within the Farmlands area
- B. If the City Comprehensive Plan or this Joint Management Agreement fails to conform to any or all of the above-mentioned criteria, the non-conforming document shall be amended as soon as practicable. Such amendments shall be adopted by a majority of both the full City Council and the County Board of Commissioners after recommendations have been received from the County Planning Commission.
- C. The City shall retain responsibility for initiating and approving amendments to the City Comprehensive Plan.
- D. If the County zoning or subdivision ordinance fails to conform with Oregon Laws, Oregon Case Law, or County needs, and is proposed to be amended, the proposed amendments will be referred to the City for review and comments. With regard to amendments to the "Use Zones" section of the Zoning Ordinance, only those amendments affecting the F-1 zone will be referred to the City. Response procedures will be as in sections III B, C, and D, except that the review period will be thirty (30) days in duration. Copies of the adopted amendments will be sent to the City.
- E. The County shall refer inquiries for City Comprehensive Plan and Farmlands area zoning map amendments to the City for investigation. Any use other than those allowed in the County F-1, Exclusive Farm Use zone, would be incompatible with the City Comprehensive Plan for the Farmlands area. Accommodation of such proposals would necessitate amendments to the Urban Growth Boundary and Adams Comprehensive Plan.

VI. APPEALS

- A. As the County is delegated responsibility for land use decisions and actions affecting the Farmlands area, appeals from such decisions shall be in accordance with the appeals process specified in the County Zoning or Subdivision Ordinances, applicable state statutes or administrative rules.
- B. In the event that either the County Planning Commission or the County Board of Commissioners disagrees with the City comment and recommendation provided for in Section III of this Agreement the City shall have standing to appeal as provided in Section VI A above.

VII. SEVERABILITY

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

IN WITNESS WHEREOF, this Adams Farmland Joint Management Agreement is signed and executed:

this 19<sup>th</sup> day of July, 1978.

this 10<sup>th</sup> day of July, 1978.

UMATILLA COUNTY  
BOARD OF COMMISSIONERS

ADAMS CITY COUNCIL

[Signature]

Cecil Bazel

Barbara Lynch

J. Frickbacher

Fred [Signature]

Doc A. McNeel

Mike [Signature]

Lee James Mayor

Carroll Carter, Recorder