MALHEUR COUNTY

COMPREHENSIVE PLAN

COUNTY COURT

June 14, 1985

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MALHEUR COUNTY

COMPREHENSIVE PLAN

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PREFACE

The land use planning program for Malheur County consists of four basic elements: background studies, the comprehensive plan, the exceptions statement, and implementation measures. Background studies are intended to provide a realistic picture of the present pattern of development and an evaluation of growth potential. The comprehensive plan is a guide for future growth and use of land. The exceptions statement documents existing land use patterns in areas declared to be "exceptions" to the requirements of Statewide Planning Goal 3. Implementation measures include zoning and subdivision standards to regulate land use. These basic elements of the planning program are published in the following volumes:

Vol. I Inventories and Background Information

Vol. II. Comprehensive Plan

Vol. III Exceptions Statement

Vol. IV Zoning Ordinance

Vol. V Subdivision and Partitioning Ordinance

In addition, a series of background reports published by the Comprehensive Planning Office in 1976 and 1977 supplement the information contained in Volume I and should be considered a part of it. These background reports are entitled Economics and Population, Public Facilities and Services, Housing, and Land Capabilities and Natural Resources. Copies of all planning publications are available for review at local libraries and the County Planning Department in Room 202, County Courthouse, in Vale, Oregon.

INTRODUCTION

The Plan's Purpose

The purpose of this comprehensive plan is to identify the present and future needs of Malheur County and to guide its future growth and development in compliance with state law. The plan established directions and means of achieving what Malheur County wants to occur during the next 20 years. The plan is meant to influence and be responsive to change rather than to restrict opportunities for growth.

The plan addresses all phases of land use and resource utilization, including agriculture, forestry, housing, transportation, public services, recreation and energy. Because these elements are interdependent, no single element can be fully developed alone. To be effective, the plan must be all-inclusive, or comprehensive, with consistent and harmonious public policies regarding each of these elements.

The plan embodies the official goals and policies concerning land use in Malheur County. It is a coordinated effort, combining input from interested individuals, private organizations, and affected local, state and federal agencies.

Background

Comprehensive plans have guided the development of major metropolitan areas of the United States for more than 50 years. Planning and zoning have been sanctioned by the U.S. Supreme Court as a legitimate exercise of the state's regulatory powers to protect the health, safety or general welfare of the community.

Comprehensive planning in the Malheur County begain in 1966. At that time, Oregon counties were authorized (but not required) to adopt planning and zoning regulations for all or part of their lands. In cooperation with the Bureau of Municipal Research and Service, the Malheur County Planning Commission developed a comprehensive plan for the Ontario-Nyssa-Vale area. However, the plan was never officially adopted by the county.

State Mandate

In 1969 the Oregon State Legislature mandated that all Oregon counties adopt comprehensive plans and zone their lands. Little funding was appropriated for this task, however, and no specific criteria guided the development of the plans. Nevertheless, in accordance with the provisions of ORS 215.050 and 215.055, the county adopted its first

official comprehensive plan and zoning ordinance in 1973.

That same year, the Oregon State Legislature passed Senate Bill 100, creating the Land Conservation and Development Commission (LCDC) which was charged with the responsibility to develop statewide planning goals and guidelines. All cities and counties were directed to develop comprehensive plans in conformance with these goals. In addition, the legislature provided funding to enable jurisdictions to carry out this mandate.

Senate Bill 100 and other related statutes are now codified in ORS Chapters 197 and 215. As law-abiding citizens, the people of Malheur County have tried to meet the requirements of these statutes by developing this comprehensive plan and implementing measures. However, some Malheur County citizens deeply resent the intrusion of the state into what they consider to be a purely local matter.

Local Control Preferred

Since 1973, some citizens of Malheur County have consistently expressed their resentment of state-mandated planning at public hearings, in the local media, and at the polls. In three separate statewide referendums, Malheur County residents have overwhelmingly voted to abolish the Land Conservation and Development Commission. For example, in November, 1982, 75% of Malheur County voters supported Ballot Measure 6, which would have abolished LCDC. However, a majority of voters throughout the state have three times upheld the statewide planning program and, regardless of local anti-LCDC sentiment, state law still requires Malheur County to adopt a plan and implementing measures in compliance with the statewide planning goals.

In defiance of what they perceive to be unnecessary, unfair and unconstitutionally laws, some local citizens have repeatedly tried to block adoption of a state-mandated plan for Malheur County. The efforts of these citizens have culminated in two local referendums, both of which have prevented county voters defeated the 1982 comprehensive plan and zoning ordinance by a margin of almost two to one. Similarly, on November 8, 1983, voters defeated the 1983 plan and zoning ordinance--despite the fact that these documents embodied the efforts of a special Land Use Task Force, which substantially relaxed land use regulations in an attempt to meet the needs of local landowners. The results of both referendums have been interpreted by the County Court and Planning Commission to be more an expression of anti-LCDC sentiment than dissatisfaction with specific provisions of the county plan and zoning ordinance.

Malheur County's anti-LCDC sentiment is shared by many

residents of other counties in Eastern Oregon, who consider the statewide planning program to be designed for the Willamette Valley by bureaucrats who have never been east of the Cascades. As state Senator Eugene Timms, representative of District 30, put it, "Until LCDC is excluded from the process, land use planning will be a dirty word in Eastern Oregon, and voters will want little to do with it" (Malheur Enterprise, April 27, 1983). The best solution, concluded Senator Timms, is more local control in the planning process. In the same way, many citizens of Malheur County believe they are fully capable of planning for their communities at the local level, rather than being forced to conform to inappropriate rules and regulations handed down from Salem.

Despite their conviction that local control is the key to building a fair and effective planning program, many residents of Malheur County have worked diligently to meet the requirements of the statewide planning goals and other legislative mandates, while at the same time adapting them as much as possible to meet local needs. Through the efforts of the County Court, Planning Commission and staff, citizen advisory committees and, most recently, the Land Use Task Force, this plan has evolved as Malheur County's response to the state's mandate to adopt a plan pursuant to ORS Chapters 197 and 215.

Effect of Acknowledgment

Once this plan is adopted by the county and acknowledged by LCDC, it supersedes the statewide planning goals and becomes the basic land use document for Malheur County. It provides the basis for all land use decisions and implementation measures, such as zoning and subdivision ordinances. All land use decisions and regulations in the county must be consistent with the comprehensive plan.

The Planning Process

1. Inventory

   In this first step, all available information on a goal topic is gathered and organized. In the housing inventory, for example, all housing units in the county are catalogued by type, age, tenure and condition. Household size, vacancy rates and construction trends are documented and analyzed.

2. Assess Needs

   Next, inventory information is combined with future projections to determine what services or resources will be needed in the coming years. Housing needs are determined by projecting population increases, estimating trends in household size and types of housing, and comparing projected needs with existing supply.

3. Establish Goals and Policies

   At this point, the county formulates goals and policies that will enable it to meet the needs identified in Step 2. For example, analysis of housing vacancy rates, construction trends, and projected population increases may indicate that more rental housing will be needed to accommodate families that cannot afford to buy their own homes. The county may then establish a policy to work with private developers and governmental agencies to increase the number of rental units and keep vacancy rates at appropriate levels.

4. Implementation

   Next, the county works to implement the policies it formulated to meet future needs. Usually policies are implemented through the county's zoning ordinance and other related ordinances. To implement its policy to increase the number of rental units, the county may include provisions in its zoning ordinance to make more areas available for multi-family housing.

5. Review and Updating

   To ensure that the comprehensive plan is consistent with changing circumstances, the county and its citizens advisory committees will update the inventory information and review the goals and policies every three years. In this way, the comprehensive plan will continue to serve as the foundation of a dynamic

planning process designed to meet the needs of the people of Malheur County.

Citizen Involvement

Citizen involvement has always been a key ingredient of planning in Malheur County. Even before the statewide goals were established and citizen involvement was mandated, the county's planning programs were based on the efforts of citizens advisory committees. Citizens, both individually and in organized groups, have always been encouraged to participate in the planning process to ensure that plans accurately reflect the intentions of the people of Malheur County with regard to future growth and development.

In 1975, as its first step in meeting the requirements of the new statewide goals, Malheur County formalized its citizen involvement program. Approved by LCDC in January, 1976, the program was designed to involve a cross-section of affected citizens in all phases of the planning process. The County Court appointed the Planning Commission as the Committee for Citizen Involvement with responsibilities for overall direction of the citizen involvement program. In turn, the Planning Commission appointed a working subcommittee with broad local representation to spearhead the planning effort. A task force of agency representatives assisted the working subcommittee at monthly work sessions, and area advisory committees made in-depth studies of particular phases of land use when necessary.

This original program later evolved into a network of citizens advisory committees that focused on one or more related elements of the plan. These advisory committees include the Agriculture/Forestry Committee, the Housing Committee, the Natural Resources Committee, the Urbanization Committee, the Road Advisory Committee, the Economic Development Task Force, and the Review Committee. Members of these committees represent all geographical areas of the county. After developing their respective elements of the plan, these committees have been active when needed to address specific issues. In the future they will periodically review and update their elements of the plan.

In a further effort to encourage public participation, a planning questionnaire was distributed to all county residents in 1979. The results of this citizens attitude survey provided staff and committee members with additional public input.

The general public was invited to attend all citizens advisory committee meetings. The Urbanization Committee

held special public meetings in each of the small communities to determine rural service center boundaries and development standards. Similarly, the Agriculture Committee held well-attended public hearings on the agricultural lands element and the proposed rural residential areas. Finally, the County Court and Planning Commission conducted at least 12 public hearings in Ontario, Nyssa, Vale and Jordan Valley to obtain citizen input on the zoning ordinance and the comprehensive plan as a whole.

In the future, the public will be encouraged to participate in all reviews and amendments to the plan.

Coordination

To be effective, the comprehensive plan must be a coordinated effort involving affected individuals, groups and agencies through all phases of development. Under ORS Chapter 197, the county is charged with the responsibility of coordinating the planning activities of cities and special districts.

Although each of the five incorporated cities (Ontario, Nyssa, Vale, Adrian and Jordan Valley) are responsible for the preparation of their own plans, the cities and the county work together in planning for urban growth areas and any other matters of joint concern.

In addition, the county works with special districts and local, state and federal agencies to coordinate their planning efforts and land use actions with local comprehensive plans.

GOAL 1: CITIZEN INVOLVEMENT

Goal: To develop a citizen involvement program that ensures the opportunity for citizens to be involved in all phases of the planning process.

Policies

1. The County Planning Commission will continue as the Citizens Involvement Committee.

2. Citizens advisory committees will be appointed to study particular areas of land use planning.

3. Broad participation in citizens advisory committees and other planning activities will be solicited to provide a cross-section of geographical and professional interests; individual citizens will be given an opportunity to participate in the early formative stages of the planning process.

4. After LCDC has acknowledged the comprehensive plan, the citizens advisory committee will review their respective elements of the plan at least every three years to ensure that the plan is in tune with the changing needs of the community.

5. After periodic review described in Policy 4 above, if the citizens advisory committees conclude that update of the plan is necessary, they will develop their recommendations at publicized meetings in which the public will be encouraged to participate.

6. The citizens advisory commitees, and any other special committees formed to aid the input process, may be asked to assist the Planning Commission and County Court between periodic reviews. Reoccurring problems will be referred to the appropriate committees for their recommendations.

7. The Planning Department and the citizens advisory committees shall continually work to assemble information from the public that will assist in an effective review process.

8. The public will be encouraged to participate in all periodic reviews and updates of the plan.

9. All planning activities will be publicized to make residents aware of upcoming decisions that may affect them.

10. Information materials will be prepared for distribution and/or presentation to schools, civic groups and individual citizens to explain the plan and planning procedures.

11. Copies of the comprehensive plan and all other planning documents will be available to all residents.

GOAL 2: LAND USE PLANNING

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

Policies:

1. The county will maintain the County Planning Department and the County Planning Commission. The County Court will continue in its role as governing body in determining land use. Members of the Planning Commission shall serve no longer than 2 consecutive 4-year terms.

2. The Malheur County comprehensive Plan and background reports will be recognized as the primary documents of factual information and policy statement used as the basis for planning decisions.

3. The county will develop a set of zoning and subdivision ordinances to implement the comprehensive plan. All ordinances relating to land use will be consistent with the comprehensive plan.

4. After LCDC has acknowledged the comprehensive plan, it will be reviewed by the Planning Commission and citizens advisory committees at least every three years to ensure that inventory information, policies, and land allocations are updated.

5. The Planning Department will maintain a file of suggested revisions to the comprehensive plan, and those revisions will be considered as part of the plan review procedure.

6. A public hearing will be held by the County Court before making any changes in the comprehensive plan.

7. All planning decisions will take into account the comments of the affected property owners and the plans of local, state or federal agencies that might have an effect on, or be affected by, the decision.

8. As additional inventory information becomes available, it will be considered in planning decisions.

9. Findings made in the process of land use planning

decisions will be related to specific planning policies, ordinance requirements, or background information, and such findings will be documented.

10. Units of land or parcels under the same ownership will be considered as one parcel in meeting provisions of the zoning ordinance and comprehensive plan; except that lots created by subdivisions or partitions approved by the Planning Commission in accordance with the subdivision ordinance will be considered separate lots, regardless of whether they are under one ownership.

11. Prior to any potential private land acquisitions by a public agency, a recommendation will be requested from the county regarding the transaction.

12. Affected local, state and federal agencies will be notified of all proposed plan changes.

GOAL 3: AGRICULTURAL LANDS

Goal: To preserve and maintain the agricultural land in the county for agricultural purposes.

Policies:

1. Public and private land classified by the U.S. Soil Conservation Service as being in Capability Classes I through VI, as well as any other lands determined to be suitable and needed for farm use, are considered to be agricultural lands.

2. Whenever possible, land having the highest agricultural capabilities will be given the greatest protection (Class I has the highest capability; Class VI has the least).

3. In addition to the SCS soil classification system, County Assessor's records will be considered in evaluating individual parcels for the purpose of planning and zoning.

4. Urban growth boundaries, exclusive farm use zoning, and farm use assessment will be the major tools used to protect agricultural lands.

5. Other methods of preservation will be studied to determine their practicability.

6. The Planning Department will work with the Soil and Water Conservation District, the OSU Extension Service, and the Water Resources Committee to help improve soil conservation methods and water quality.

7. The county will work toward increasing the storage capacity for irrigation water in the county.

8. The county will work closely with the irrigation and drainage districts when land use decisions affect the distribution of water for irrigation purposes.

9. The county will support other organizations working to minimize or eliminate tax and cost factors that prohibit younger persons from entering the farming and ranching professions.

10. A non-farm dwelling in an agricultural zone will be allowed where:

a. It is compatible with established or possible future farm uses;

b. It will not now, or in the future, interfere with established farm practices;

c. It will not alter the stability of the overall land use pattern of the area; and

d. It is situated on land generally unsuitable for the production of farm crops and livestock.

13. Existing non-farm uses will be allowed to exist and continue as non-conforming uses in farming and ranching areas.

14. Normal farming and ranching activities will be allowed to exist and continue without interference from non-farm users of the land.

15. The zoning ordinance will establish Exclusive Farm Use (EFU), Exclusive Farm/Forest Use (EFFU), and Exclusive Range Use (ERU) zones to protect agricultural lands, and it will include provisions limiting develpment of those lands.

16. The zoning ordinance and subdivision ordinance will include requirements for appropriate setbacks from agricultural lands.

17. The County Court will appoint a citizens advisory committee on agriculture to review the agricultural lands element of the comprehensive plan every three years, or whenever the Court finds a more urgent need.

18. The county will support proposals to the State Legislature to exempt "marginal lands" from Goal 3 requirements.

19. The county will not discourage the creation of special land use districts so that land owners can impose more restrictive land use regulations than those imposed by the county.

GOAL 4: FOREST LANDS

Goal: To preserve and maintain forest lands for allowable agricultural and forest uses.

Policies:

1. By the first plan update, the county will determine the precise boundaries of commercial forest lands in Malheur County based on the cubic foot site class rating system.

2. The zoning ordinance will create an Exclusive Farm/Forest Use (EFFU) zone that will apply to commercial forest lands, and limit development within that zone to protect forest lands for all forest uses as defined by Statewide Planning Goal 4.

3. Non-commercial forest lands, which are mainly used for livestock grazing, will be zoned for Exclusive Range Use (ERU). The ERU zone limits development to protect rangelands and non-commercial forest lands for all forest uses as defined by Statewide Planning Goal 4.

4. The county will treat forest lands and agricultural lands equally, in that both resources will be protected in the same manner.

5. No residential subdivisions will be allowed on designated forest lands.

6. The county will work with the Oregon State Forestry Department and the Soil and Water Conservatoin District to support cost-share programs for forest management practices.

7. The Planning Department will work with appropriate public agencies to initiate necessary soil surveys to accurately describe and identify forest lands capable of producing commercial timber.

8. The County Court will appoint a citizens advisory committee on forestry to review the forest lands element of the comprehensive plan every three years, or whenever the Court finds a more urgent need.

GOAL 5: OPEN SPACE, SCENIC AND HISTORIC AREAS, AND NATURAL RESOURCES

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

Policies:

Open Space

1. The county will establish land use regulations that will substantially preserve the open character of the undeveloped areas of the county.

2. The county will cooperate with other public agencies that manage open land in Malheur County.

Mineral and Aggregate Resources

1. The county will continue to study mineral and aggregate sites throughout the county to determine the precise location, quality and quantity of these resources.

2. The county will establish land use regulations that protect mineral and aggregate resources from incompatible uses.

3. The county will cooperate with other government agencies in the enforcement of mining regulations.

Energy Sources

1. The county will encourage the identification, exploration and development of geothermal and other energy sources in the county.

2. The county will continue to study the location, quality and quantity of energy sources in the county.

3. The county will establish land use regulations that will protect the land base upon which subsurface energy sources are located.

4. Exploration and development of subsurface energy resources will be in conformance with the requirements of the Oregon Department of Geology and Mineral Industries.

5. The county may adopt an ordinance protecting access to the sun for solar energy.

Fish and Wildlife Habitat

1. The county will continue to cooperate with local, state and federal agencies to identify the location, quality and quantity of fish and wildlife habitat.

2. The county will consider the impacts of proposed development on fish and wildlife habitats when making land use decisions.

3. The Oregon Department of Fish and Wildlife's "Fish and Wildlife Habitat Protection Plan" will be recognized as a guideline for planning decisions.

4. The county will continue to recognize the contribution that fishing and hunting make to the economy and the total recreational needs of the county.

Natural and Scenic Areas

1. Within the next three years, the Planning Department will review the Nature Conservancy Inventory of potential natural and scenic areas and identify those sites that Malheur County believes are significant and should be protected as natural and scenic areas.

2. The Planning Department will continue to inventory the location, quality and quantity of each natural and scenic area to be protected.

3. The county will cooperate with agencies responsible for the management of designated natural and scenic areas and encourage the expanded protection of these resources on publicly owned land.

Water Resources

1. The county will continue to inventory the location, quality and quantity of its water resources.

2. The county will implement its water quality management plan.

3. The county will continue to consult the County Sanitarian in land use decisions.

4. The county will notify and consult with appropriate state agencies during review of development proposals that might affect surface or groundwater quality.

5. The county will encourage the public to take advantage of erosion control and resource management assistance offered by the Soil Conservation Service and other agencies.

6. The county will cooperate with the Oregon Department of Environmental Quality in protection of surface and groundwater resources.

Wilderness Areas

1. The county will participate in the planning process and hearings procedure for the designation of wilderness areas.

2. The county will cooperate with public agencies that manage wilderness areas to assist in their protection.

Historic Sites

1. The county will continue to inventory the location, quality and quantity of all archeologic and historic buildings, sites and artifacts in Malheur County.

2. The county will explore the availability of grants or other sources of funding to help preserve and protect the historic sites and structures in Malheur County.

3. The county will cooperate with the Bureau of Land Management in its efforts to preserve and protect the archeologic and historic sites located on public land.

4. The county will protect its significant historic structures from conflicting uses, including major exterior alteration and demolition, by proceeding through steps 2 and 3 of the Goal 5 rule process on a site-specific basis at such time as conflicting uses are proposed. All alternatives for protection will be examined and the State Historic Preservation Office will be notified and permitted to comment.

5. The county will develop, adopt and apply a historic protection implementing measure consistent with Goal 5 requirements by the first plan update.

6. When sufficient information becomes available to identify the precise location of historic sites designated 1B, the county will continue through the Goal 5 rule process.

7. The county will investigate the possibililty of waiving property taxes for historic structures subject to preservation regulations.

8. The county will cooperate with the Malheur County Historic Soceity to protect historic resources.

9. The county will protect individual land owners where structures or sites are located to ensure their property rights are safeguarded, gain their approval, ensure and compensation is made if privately owned land or buildings are condemned for the purpose of historic preservation.

Recreation Trails

1. The county will cooperate with other agencies in the development of recreation trails in the county, providing funds are made available from the state, and will initiate steps to ensure protection of private property, if and when any proposed trails cross private property.

2. If the trail designation is made, the county will apply the steps of the Goal 5 rule to that resource.

Scenic Waterways

1. The county will cooperate with the state and the Bureau of Land Management in their efforts to protect the segments of the Owyhee River designated as a scenic waterway and will initiate efforts to protect the rights of private property owners whenever they overlap.

2. In the process leading to the possible future designation of additional segments of the Owyhee River as a State Scenic Waterway or a National Wild and Scenic River, the county will apply the steps of the Goal 5 rule to those resources.

GOAL 6: AIR, WATER AND LAND QUALITY

Goal: To maintain and improve the quality of Malheur County's air, water and land resources.

Policies:

1. The county will encourage monitoring throughout the county to determine present air pollution levels.

2. The Planning Department will gather information from private industry on any environmental quality monitoring that may be taking place.

3. Implementation of the Malheur County Water Quality Management Plan will be accomplished at the local level, providing the necessary funds are given to the county by the state without the need for additional taxes.

4. The County Court will designate the Malheur Soil and Water Conservation District as the management agency responsible for implementing the water quality management plan.

5. The County Court will give the Water Resources Committee the responsibility of advising the Court and the Soil and Water Conservation District on the implementation and revisions of the water quality management plan.

6. A five year voluntary program period will be allowed prior to enforcement of regulatory water quality requirements of the plan.

7. Under the voluntary period of the water quality plan, Best Management Practices (BMPs) will be considered as general guidelines for improvement of water quality by individual land owners.

8. In areas where water quality problems persist after the five year voluntary period, appropriate BMPs will be determined following a site-specific analysis completed on a case-by-case basis.

9. Financial and technical assistance will be given to individual land owners through existing federal and state programs before implementation of BMPs will be expected.

10. The county will cooperate with the Soil and Water Conservation District, the OSU Extension Service, and the Water Resources committee to help improve soil and water quality and conservation methods.

11. The county will update the comprehensive solid waste management plan of 1974.

12. The effects of transportation, industry, and other sources of excessive noise will be considered in evaluating proposed uses nad development.

13. The county will require all developments and land uses to comply with state and federal environmental quality statutes, rules and standards.

14. The county will work with the BLM and the U.S. Air Force to mitigate the impacts of low-flying aircraft if feasible.

GOAL 7: NATURAL DISASTERS AND HAZARDS

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

Policies:

1. The county will establish a flood damage prevention ordinance using available studies and research data, and involve citizens in the review process.

2. The zoning ordinance will create a flood plain management zone.

3. Provisions of the flood plain management zone and the flood damage prevention ordinance will apply to the flood plain boundaries designated by the U.S. Department of Housing and Urban Development and the Federal Insurance Administration until flood plain boundaries can be redefined, taking into consideration the major flood control efforts that have taken place.

4. The county will request an indepth study by the U.S. Army Corps of Engineers to redefine the flood plain areas in Malheur County.

5. All development within the flood plains will be required to minimize potential hazards and losses of life and property.

6. All new inhabitable structures within the flood plains will be required to comply with standards established by the Federal Insurance Administration.

7. The location of emergency services facilities and other activities that may be identified by the County Court will be prohibited in the flood plains.

8. The county will continue to participate in the National Flood Insurance Program.

9. The Planning Department will work with the cities to establish conformity of city and county flood plain ordinances.

10. The county's subdivision ordinances will include provisions limiting subdivisions in the flood plain and establishing standards to ensure public health and safety.

11. The county will encourage the study of geologic hazards in the more populated areas of the county.

12. The county will cooperate with other governmental agencies to help protect life and property from natural disasters and hazards.

13. The county will distribute to the public all available information concerning natural disasters and hazards.

14. The county will support and cooperate with the Malheur County Emergency Services Office.

GOAL 8: RECREATION

Goal: To meet the park and recreation needs of the citizens ofMalheur County and visitors.

Policies:

1. An on-going inventory will identify the needs and opportunities of county residents for parks and recreational facilities.

2. Continued recreation planning will be the responsibility of the Planning Department under the direction of the County Court.

3. The zoning ordinance will establish a park management zone to protect parks and recreation areas from incompatible uses.

4. The county will encourage to develop their own parks and recreation areas.

5. Communities will be encouraged to develop their own parks and recreation areas.

6. The county recognizes the importance of tourism to Malheur County's economy and will encourage tourism through the development of recreation opportunities.

7. The County Court will appoint a citizens advisory committee on recreation to review funding sources for park improvements and develop and implement tourism incentives.

8. The county will cooperate with the Oregon State Parks and Recreation Division, the Bureau of Land Management, and the other state and federal agencies that provide recreation opportunities in the county.

9. The county will cooperate with and encourage private enterprise to provide recreation opportunities such as camp facilities and and resort areas.

10. When considering proposals for recreational development, the county will protect the resource base by considering factors such as wildlife habitats, range protection, and proximity to existing development.

GOAL 9: ECONOMY

Goal: To diversify and improve the economy of Malheur County.

Policies:

1. The county will work with public and private sectors to maintain the high quality of life presently in the county.

2. The county will work with local, state, and federal agencies to improve the transportation network.

3. The county will zone adequate land for needed industrial and commercial development.

4. County land use regulations and land use decisions will encourage the continuation and expansion of existing industry and promote the development of new industry in Malheur County whenever possible.

5. The county may not arbitrarily prohibit, deter, delay or increase the cost of appropriate development, but shall enhance economic development and opportunity for the benefit of county citizens.

6. The county may zone non-urban land for industrial uses if the county finds the proposed industries are more appropriately located outside urban growth boundaries.

7. In implementing land use regulations and making land use decisions, the county will strive to achieve the following:

   a. Develop available natural resources.

   b. Create employment opportunities.

   c. Expand and maintain existing industry.

   d. Diversify agricultural products and the economic base.

   e. Broaden the tax base.

GOAL 10: HOUSING

Goal: To provide reasonable land use policies and minimal govermental interference to assure citizens have ample opportunity to obtain adequate housing.

Policies:

1. The county will encourage the development of a variety of housing types and locations in a range of housing prices.

2. The county will not discourage the use of manufactured housing or mobile homes and will encourage the cities to provide adequate land available for mobile homes within their urban growth boundaries.

3. The county will review the 1980 census information and other future census data and update the housing element of the comprehensive plan when necessary.

4. The county will work with private developers and governmental agencies to increase the number of rental units and keep vacancy rates at appropriate levels.

5. The county will work with the Farmers Home Administration, the Malheur Council on Aging, Oregon Human Development Corporation, and the Housing Authority of Malheur County to coordinate efforts so that needed housing programs are not duplicated or omitted.

6. The county will work with private developers, the Homebuilders Association, and the Board of Realtors to meet the housing needs of Malheur County residents.

7. The county will provide through zoning enough residential building sites to keep the cost of such sites at a reasonable rate.

8. Housing will be encouraged on land with the least agricultural productivity, in locations that complement existing development, make the most efficient use of required facilities, and present the least conflict with agriculture in the area.

9. In order to keep costs to citizens as low as possible, the county will approach the planning process with a view toward simplifying procedures and assisting

citizens in accomplishing their objectives.

10. The county will work with the Farm Labor Sponsoring Association, the Housing Authority of Malheur County, and other interested individuals and groups to encourage the repair and upgrading of temporary migrant housing.

11. The county will encourage the rehabilitation and weatherization of existing housing.

12. The zoning ordinance will establish rural residential zones and provide standards for their development.

13. Adequate setbacks between rural residential zones and agricultural zones will be required in order to minimize potential conflicts.

14. Manufactured housing and mobile homes will be considered to be like all other single-family dwellings for the purpose of the zoning ordinance.

15. Lot sizes will be required to be large enough to adequately support a septic tank and well on each parcel.

16. The Planning Department will maintain, publish, and distribute housing statistics to help make private and public agencies aware of the county's needs.

GOAL 11: 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 and rural development.

Policies:

Fire and Police Protection

1. The county will seek and consider information from local fire and police departments concerning provision of services to future rural land developments.

2. The county will require all major development projects to have an adequate fire protection plan.

3. The subdivision ordinance will include fire protection standards for subdivisions.

4. The county will support and encourage the formation of fire protection districts whenever warranted by sufficient concentration of structures.

Education

1. The county will encourage the selection of new school sites through cooperative planning by the school districts, cities, and the county.

2. The county will seek and consider information about school services, including bus service, in making land use proposals and decisions.

3. The subdivision ordinance will require school district recommendations on the approval of residential subdivisions.

Irrigation

1. When evaluating proposals for residential and other non-farm development, the county will consider water rights and the potential impact of the proposed development on nearby irrigated lands.

2. The county will require developers to be financially responsible for any undergrounding or other modification of irrigation and drainage canals made necessary by their development activities.

3. The Planning Department will work with the irrigation districts to establish policies concerning development proposals and water movement.

Water and Sewage

1. The county, in considering land use proposals, will ensure that the physical characteristics of the land that affect sewage disposal, water supply, and water quality are carefully considered.

2. The county will work closely with the cities to promote the orderly expansion and development of municipal water and sewage systems within the urban growth boundaries of Ontario, Nyssa and Vale.

3. In rural service centers such as Farewell Bend and McDermitt, community sewage systems will be considered the appropriate type and level of water and sewage facilities.

4. In most other areas outside the UGB's, individual wells and septic tanks will be considered the appropriate type and level of water and sewage facilities.

5. Privately owned water and sewage treatment facilities will be considered as an alternative to wells and septic tanks in some rural residential areas.

Solid Waste Disposal

1. The county will update its 1974 Solid Waste Management Plan and seek DEQ approval of the updated plan.

2. The county will continue to develop and manage the Lytle Boulevard landfill site to meet the county's year 2000 solid waste disposal needs.

Utilities

1. The county will require utility companies to have proof of valid mobile home placement or building permits before extending or connecting utility services.

Streets and Roads

County road policies are stated under Goal 12 of this section.

General

1. To the greatest extent possible, new residential, commercial, and industrial areas shall be adjacent to areas that already are developed to permit the most efficient extension of public facilities and services.

GOAL 12: TRANSPORTATION

Goal: To provide and encourage a safe, convenient,and economic transportation system.

Policies:

1. The County Court will adopt a road design, construction, and improvement ordinance.

2. All county road activities (except those concerning state highways) will comply with the Malheur County road design, construction, and improvement standards.

3. Plans for new transportation facilities will identify impacts on: (a) the transportation needs of all citizens, including the handicapped and the elderly; (b) environmental quality; (e) energy use and resources; (f) existing transportation systems; (g) fiscal resources; and (h) natural resources.

4. Transportation improvements and services that meet the needs of elderly and handicapped residents will be encouraged.

5. During design or improvement of transportation facilities, consideration will be given to pedestrian, bicycle, and equestrian traffic.

6. Conservation of energy will be a primary factor in the design and construction of transportation improvements.

7. Access to existing and potential aggregate resource sites will be maintained and protected through zoning regulations.

8. The extent and location of transportation facilities will be consistent with the comprehensive plan's policies for urban expansion.

9. Transportation facilities will minimize the division of existing economic farm units.

10. Access management on arterial highways wil be coordinated with the Oregon State Department of Transportation.

11. Access control along collectors and arterials will be limited to the minimum required for reasonable use of the highway by the abutting property owner and, where

possible, adjoining properties will share access.

12. The subdivision ordinance will provide access control.

13. Structures or storage within industrial areas having rail or air access will not preclude future rail or air access and/or spur extensions to other industrial and commercial sites in the vicinity.

14. The county will cooperate with cities and other governmental agencies to improve the transportation system.

15. The county will encourage the provision of adequate access to industrial zones in and around cities so that industrial zones can be accessed without going through downtown and residential areas.

16. County road improvements and maintenance needs will be identified and prioritized by the County Court, the Road Department, the Planning Department, and road districts on a regular basis.

17. County road improvements or maintenance projects that alleviate unsafe traffic conditions or improve safety will be given priority.

18. Any county road improvements or construction within an urban growth boundary will comply with the city's street improvement and construction standards.

19. The county will establish agreements with the cities that, whenever lands are annexed to a city, all county roads or segments thereof that are within or along the boundaries of the proposed annexation will be incorporated into the city's street system, thereby removing such roads from the county's road system.

20. Developers creating a demand for improvement of unimproved county or public use road rights-of-way will be responsible for those improvements. After the improvements have been made, the developer may petition the County Court to accept such roads, upon meeting county standards, into the county road maintenance program.

21. All realignments and new rights-of-way associated with county roads will be surveyed by the Road Department and recorded on the appropriate deeds, commissioners' journal, and/or other permanent county records.

22. County roads will be classified as principal arterials, minor arterials, major collectors, and local roads. Local roads will be further divided into primary local roads, secondary local roads, or special-use local roads.

23. Utility installations, cattle guards, and culverts within county road rights-of-way will comply with county standards, and the Road Department or appropriate road districts will be informed of installation dates and have control over the location. Permits must be acquired and approved by the County Roadmaster or appropriate road districts.

24. Any fence lines along county roads will be located on the right-of-way line between the county road and the adjoining property. The Road Department or appropriate district will be informed prior to installation and such installation will be at the landowners' expense.

25. Where state law permits, whenever a county road has been established and is not opened within two years from the date of the order establishing it or has not been used for vehicular traffic by the public for a period of 16 years, the road shall be reviewed by the County Court for vacation.

26. Any county road considered for vacation will be designated as a public use road unless it can be clearly shown that such right-of-way will never be desired for future public access.

27. All road maintenance agreements between the Road Department or road districts and other agencies, including but not limited to the cities, utility companies, the BLM, and the U.S. Forest Service, will be in writing and filed with the County Court. These agreements will be reviewed at the annual meeting of the Road Advisory Board.

28. The County Court will coordinate road improvement and maintenance activities between the Road Department, road districts, and local, state, and federal agencies.

29. In keeping with the State-County Directional signing and submit a sign order to the Oregon Department of Transportation.

30. The County Court will appoint a Road Advisory Committee to review the county's transportation needs and to review the transportation element of the comprehensive

plan every three years, or whenever a more urgent need exists.

31. The Road Department will be responsible for bridge inspections in the county. (The road Department may delegate this responsibility to agreeing road districts.)

32. The county will encourage the protection and improvement of present airport facilities.

33. The county will adopt and implement an airport approach zone to ensure the safe operation of airports and the development of a compatible environment around airports.

34. The county will participate in and encourage the adoption of airport master plans.

35. The Aeronautics Division will be included in the review process for development or use proposals that potentially impact airports in the county.

GOAL 13: ENERGY

Goal: To conserve energy.

Policies:

1. The county will recognize hydroelectric, geothermal, alcohol, solar, and wind, and solid waste as potential renewable energy sources and encourage their use.

2. Whenever possible, the county will use renewable energy resources in new county-owned buildings; all architects retained by the county will be directed by the County Court to consider renewable energy sources in the design of new county buildings.

3. The county will work with and support the U.S. Bureau of Reclamation in developing the proposed hydroelectric project at the Owyhee dam site.

4. The county will encourage educational institutions to teach residents about conservation and potential renewable energy sources.

5. The county will make available to county residents and industry all information about the Known Geothermal Resource Areas (KGRAs) and Potential Geothermal Resource Areas (PGRAs) in the county.

6. The county may adopt an ordinance protecting access to the sun for solar energy.

7. The county Court will direct the Planning Department to apply for research funds and/or interns from state colleges and universities to research wind energy.

8. The county will consider an incinerator/recycling program as a method available for solid waste management and a renewable energy source.

9. The county will encourage weatherization programs for new as well as existing buildings.

10. The county will direct the Planning Department to work with OSU Extension Service specialists and educators to inform the public about weatherization and other energy conservation methods, as well as development of potential energy sources.

11. The County Court will evaluate the weatherization needs

of all county buildings.

12. The zoning ordinance will encourage residential development in rural service centers, within urban growth boundaries, or in clusters or groups to minimize energy consumption.

13. The zoning ordinance will encourage industry to develop along existing highway, rail, and air transportation routes.

14. The county will encourage owners of existing structures to insulate and to meet standards designated in the Uniform Building Code.

15. The county will adopt a citizens advisory committee on energy to review the energy element of the comprehensive plan every three years, or whenever a more urgent need exists.

16. The County Court will appoint a task force to review the possibility of an incinerator/recycling program for solid waste disposal.

GOAL 14: URBANIZATION

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

Policies:

1. The county will work with the cities of Ontario, Nyssa and Vale in establishing and amending urban growth boundaries and joint management agreements.

2. The county will coordinate all land use decisions within the urban growth boundaries.

3. The County Court will continue to hold joint city/county meetings to ensure coordination of planning efforts.

4. The county will establish and administer zones for each of the rural service centers, taking into account the desires of the citizens living in and around these centers.

5. The zoning ordinance will create rural residential zones and provide standards for their development.

6. The zoning ordinance will include provisions for the existing commercial, industrial, and residential uses in the rural areas of the county.

LAND USE ELEMENT

Purpose

The land use element is the most important part of this comprehensive plan. The land use element includes the plan maps, which are contained in a separate packet. It also describes the relationship of the plan maps to the zoning maps, which are included as part of the Malheur County Zoning Ordinance of 1983. In addition, this land use element describes the land use categories designated on the plan maps and the corresponding zones designated on the zoning maps. Finally, this element describes the decision-making process that occurred as the county developed the designated uses for specific lands.

County Jurisdiction

The county is responsible for the planning, zoning and administration of all lands that are outside corporate city limits. By cooperative agreements with the cities of Ontario, Nyssa and Vale, unincorporated lands within established urban growth boundaries are under the joint management of the county and the city involved. Similarly, most public lands in the unincorporated areas of Malheur County are managed by the Bureau of Land Management in cooperation with the county. Regardless of ownership, however, all unincorporated lands outside urban growth boundaries are under the planning and zoning jurisdiction of the county.

Zoning and Implementation

In general, zoning is the chief tool or mechanism available to implement a comprehensive plan. To be rational and effective, zoning must be based on a well-thought-out plan for the community's growth. In a handbook on community planning, Marv Gloege described the relationship of planning and zoning as that of the general to the specific:

> It is essential to recognize the distinction between planning and zoning, and between the comprehensive plan map and the zoning map. While the plan consists of general maps, goals and policy statements, the zoning ordinance is a precise legal document with detailed requirements and definitive boundaries between the zones. While the plan is geared to the future, the zoning ordinance must take the reality of the present

into consideration. It might be considered as a transition between the realities of the present and the goals of the future. (Marvin E.Gloege, "Plan Implementation: Zoning," Community Planning Handbook, Bureau of Municipal Research and Service, University of Oregon, 1969.)

In other words, the plan map indicates the general goals and directions a community desires for future growth. The zoning map indicates present realities and serves as a specific means of moving towards the plan goals.

Based on this approach, Malheur County has adopted a set of plan maps as a statement of the county's goals and desires for future growth. These general goals are implemented by the Zoning Ordinance of 1983 and the zoning maps included therein.

Land Use Categories

Table 1 shows the land use categories designated on the plan maps and their corresponding zoning designations. Each land use category is described below.

Farm Use: Areas designated on the plan maps for Farm Use (F) are reserved for uses set forth in ORS 215.203. They are areas that are irrigated, or areas that are generally well-suited to farming and in close proximity to irrigated land. These areas are zoned for Exclusive Farm Use (EFU).

Farm/Forest Use: Areas designated on the plan maps for Farm/Forest uses. This category applies to all commercial timber lands, or lands capable of growing 20 or more cubic feet of wood per acre. These lands are zoned for Exclusive Farm/Forest Use (EFFU).

Range Use: Areas designated on the plan maps for Range Use (R) are reserved for open space and range uses such as grazing livestock. These areas are generally unirrigated and are zoned for Exclusive Range Use (ERU).

Rural Residential Use: Areas designated on the plan maps for Rural Residential Use (RR) are areas reserved for existing or future low-density residential development. Some of these lands are already built upon and committed to rural residential use; these committed lands are zoned R-1. However, most of the areas designated RR on the plan maps are pasturelands not yet committed to rural residential use; these lands are zoned for Exclusive Farm Use (EFU). It is

intended that as the need arises for additional land zoned R-1, developers will go through the zone change procedure set out in the zoning ordinance. If all criteria are met, a parcel zoned EFU but designated RR on the plan maps may be rezoned R-1.

Rural Recreation Use: Areas designated on the plan maps for Rural Recreation (REC) are areas intended for resort-type development that is compatible with adjoining agricultural uses. These areas are zoned for Rural Recreation (R-2).

Table 1

LAND USE CATEGORIES

Plan Maps	Codes		Zoning Maps
Farm Use	F	EFU	Exclusive Farm Use
Farm/Forest Use	FF	EFFU	Exclusive
Range Use	R	ERU	Exclusive Range Use
Rural Residential	RR	R-1	Rural Residential
Rural Recreational	REC	R-2	Rural Recreational
Rural Service Center	RSC	RSC	Rural Service Center
Urban	U	UGA	Urban Growth Area
Commercial	C	C-1	Commercial
Industrial	I	M-1	Light Industrial
	M-2		Heavy Industrial
Park Use	P	PM	Park Management
Geothermal Development	GEO	--	(No corresponding zone)
(No Corresponding designation)	--	FP	Flood Plain plan Management
	--	AA	Airport Approach

The Decision-making Process

1. Urban Growth Boundaries

The first step in the process of developing the plan maps was to establish urban growth boundaries (UGBs) for the three major cities in Malheur County--Ontario, Nyssa and Vale. The UGBs were originally established in 1978 when the county signed joint management agreements with each of the three cities. The county later adopted the UGBs, findings of fact, and implementing measures by ordinance. The land use designations for unincorporated lands within the UGBs and the processes by which they were selected are described in the comprehensive plans for the cities of Ontario, Nyssa and Vale.

2. Rural Service Centers

The second step involved the establishment of rural service center boundaries and development standards. The citizens advisory committee on urbanization held public meetings in each of the 16 small communities designated as rural service centers. Community residents determined their RSC boundaries and the permitted and conditional uses to be allowed within the zone.

3. Resource Lands

The third step in the decision-making process was to inventory all resource lands (farmland, rangeland and forestland and to determine appropriate land use provisions for these lands.

The county's original zoning ordinance, adopted in 1973, established two farm zones: F-1 with a 40-acre minimum lot size and F-2 with a 5-acre minimum lot size. The state determined that the F-2 zone did not adequately protect farmland and should not be included in the new zoning ordinance. Most lands originally zoned F-2 have been rezoned EFU.

The county considered the creation of a buffer zone between exclusive farm use and rural residential zones, but the concept was ultimately discarded as unworkable. To minimize conflicts between farming activities and adjoining rural residential zones a 100-foot setback from the boundary of an EFU zone was established. As a safety precaution, setbacks from irrigation canals in rural residential zones were also established.

Although public lands were not zoned under the 1973 ordinance, the county decided to include public lands under this comprehensive plan and zoning ordinance.

Rural Service Centers: Sixteen small communities in Malheur County are designated on the plan maps and zoned as Rural Service Centers (RSC). Each community established its own boundaries and development standards, which are set out in the zoning ordinance. The RSC designation permits expanded commercial uses in the more remote areas of the county, allowing residents to have access to basic services without traveling to larger communities.

Urban Use: All lands within established urban growth boundaries are designated Urban (U) on the plan maps. Unincorporated lands inside the urban growth boundaries are zoned Urban Growth Area (UGA) and are under the joint management of the county and the city.

Commercial Use: Areas that are outside an established urban growth boundary but substantially committed to commercial activity are designated Commercial (C) on the plan maps and zoned C-1. This category does not apply to commercial centers in the rural areas of the county, which are designated as Rural Service Centers (RSC).

Industrial Use: Areas designated on the plan maps for industrial use (I) are reserved for industrial uses outside established urban growth boundaries. These areas are zoned for either Light Industrial Use (M-1) or Heavy Industrial Use (M-2).

Park Use: Existing or future publicly owned recreation areas and park facilities are designated Park (P) on the plan maps. Existing recreation areas are zoned Park Management (PM) to allow maintenance of park facilities without conditional use permits.

Geothermal Development: This is a special plan designation used to indicate areas that are reserved for geothermal development. The GEO designation is like an overlay zone, indicating special land use goals in addition to those of the underlying or primary plan designation. There is no corresponding zoning designation.

Flood Plain Management: This is an overlay zone applied to lands within the 100-year flood plain. The FP zone is intended to prevent the destruction of life and property by flood damage. There is no corresponding plan designation.

Airport Approach: This is an overlay zone applied to the approach zones of airports in the county. The AA zone is intended to promote the safe operation of aircraft and the development of a compatible environment around airports. There is no corresponding plan designation.

4. Rural Residential Areas

The selection of rural residential areas was the most difficult and controversial aspect of this process. First, the citizens advisory committee on agriculture established the following criteria for the suitability of rural residential areas:

A. Soil capability. Rural residential areas should not include areas of high soil capability (SCS Classes I-III) that can be used for rowcrop production.

B. Proximity to intensive farming operations. To minimize potential conflicts with farming activities, rural residential areas should not be adjacent or in close proximity to intensive farming operations.

C. Proximity to established urban centers. To promote the conservation of energy (Goal 13) and the most efficent use of public facilities and services (Goal 11), rural residential areas should be close to established urban centers.

D. Existing land use patterns. The location of rural residential areas should complement existing development patterns. Areas that are already built upon and committed to rural residential development should be encouraged to fill in, or develop at maximum densities.

E. Availability of rural services. Fire and police protection, school bus service, and road maintenance be readily available to rural residential areas.

Based on these criteria, the Agriculture Committee selected four major areas for rural residential development. The first three areas are adjacent to or near the urban centers of Ontario, Nyssa and Vale, respectively; the fourth area is designated as the Lincoln Heights rural residential area. A good portion of these areas are already

built and committed to rural residential development. Moreover, these areas include less-productive pasturelands that are hilly and rocky. The Agriculture Committee believed that additional rural residential development in these areas would have minimal impact on adjacent or nearby farming activities. For a more specific designatoin of the rural residential areas designated on the plan maps and zoning maps, see the Exceptions Statement (Vol. III).

In July, 1980, the Agriculture Committee held a series of public hearings on the draft agricultural lands element of this plan, the draft zoning provisions for resource lands, and the proposed rural residential areas. Many residents testified at the hearings or submitted written requests regarding the selection of the rural residential areas. Most of these residents requested that the boundaries of the rural residential areas be expanded to take in their properties.

Each request was individually considered by the County Court, which ultimately decided that the proposed rural residential areas were too large and that, rather than expanding the boundaries, they should make the areas smaller. As a result, requests that specific properties be excluded from the proposed rural residential areas were granted; most of the requests to be included in the rural residential areas were denied. In addition, the boundaries of all the proposed rural residential areas were tightened up.

During this process, the proposed rural residential areas were toured extensively by the Agriculture Committee, the Housing Committee, the Planning Commission and the County Court.

Based on the original proposals of the Agriculture Committee, as well as public input received at hearings and the recommendations of the Housing Committee, the Review Committee, and the Planning Commission, the County Court ultimately adopted the rural residential areas designated on the plan maps.

To implement the community's goal for future growth, lands within the planned RR areas that are already built and committed have been zoned R-1. However, most of the planned RR areas have been zoned EFU. As explained in the description of land use categories, it is expected that as the need arises for additional lands zoned R-1, developers will go through the zone change procedure set out in the zoning ordinance. If the developer can demonstrate that

all criteria have been met, a parcel designated RR on the plan maps may be rezoned R-1.

5. Commercial and Industrial Areas

In compliance with the statewide planning goals and guidelines, very few commercial and industrial areas have been designated outside urban growth boundaries. In general, these areas have been designated only where commercial or industrial activity already exists, or where lands are reserved for development that will utilize site-specific resources such as geothermal resources. For a more detailed description of commercial and industrial areas, see the Exceptions Statement (Vol. III).

Rural Service Centers

Sixteen small communities throughout the county have been planned as rural service centers (RSCs). Most of these communities are located in the more remote areas of the county and provide a variety of services to local residents. In preparation for future growth, each community determines its own RSC boundaries and development standards. A description of each rural service center follows.

Ironside. Ironside is a ranching community in northwestern Malheur County. It presently has about 50 acres of committed land and the community would like to make available another 50 acres for future development. The community's growth rate has been stable over the last few years but if growth should increase, some of the existing lots are too small to accommodate a septic tank and well. If more land is made available, these lots can be enlarged and a possible health problem eliminated. Also, if recreation home buyers become interested in locating in or near Ironside, the least productive land will be available to them.

Brogan. Brogan is another ranching community in northwestern Malheur County. The original townsite established in 1910 consists of about 320 acres and the community has chosen to keep future development within the original townsite boundaries.

Farewell Bend. Farewell Bend is located in the northeastern part of the county bordering a recreation area in Baker County. To encourage industrial and recreational development, the community included a large tract of land--approximately 1,800 acres--within its RSC boundaries. Approximately 270 acres are built and committed at this time, and another 60 acres are in the flood plain.

Annex. The community of Annex is also in northeastern Malheur County, directly across the river from Weiser, Idaho. Local residents want to maintain the recreational nature of the community and have limited their RSC boundary to those of the original townsite plus the committed area to the west where the school and some homes are located. The RSC boundary takes in a total of 180 acres.

Willowcreek. Willowcreek is a small farming community north of Vale. To encourage the agricultural support industry developing in Willowcreek, the community included about 140 acres in its RSC boundary.

Jamieson. Jamieson is another small farming community north of Vale and Willowcreek. Although the town now consists mainly of a post office and single-family

dwellings, it used to have its own school and offer a greater variety of services. Local residents would like the community to grow again and have included adequate room for future development within the RSC boundary.

Oregon Slope. Located north of Ontario, Oregon Slope mainly consists of single-family dwellings and farm-related businesses. Residents of the community want to maintain the area's residential nature and have limited future development accordingly. The community included 12 1/2 acres in its RSC boundary.

Cairo Junction. Located five miles south of Ontario, Cairo Junction is a mix of residential and commercial activity. Since the community is close to all three major cities in the county, local residents can readily acquire most of the services they need without expanding their own commercial activities. To avoid future urbanization of surrounding farmlands, local residents limited their RSC boundary to 10 acres, including only those lands that are already built upon and committed.

Harper. Harper is a small ranching community about 25 miles west of Vale. Since it is relatively isolated, the community wants to be as self-sufficient as possible. The local residents included about 100 acres in their RSC boundary, taking in the original townsite and the committed area that has developed along the highway. The community specified that no auto wrecking yards would be allowed.

Owyhee Corner. Owyhee Corner, or Owyhee Junction, is a small community of farm-related industry and residential uses that serves the surrounding farming operations and tourists. Local residents included about 85 acres in their RSC boundary to allow for future development.

Juntura. Located west of Vale near the Malheur-Harney County line, Juntura was once an incorporated city. Due to financial difficulties, however, the city disincorporated in 1977. Local residents designated the original city limits as their RSC boundary. At present, the community has a mix of uses including mostly farm-related commercial activities and tourist facilities as well as a church, school and community hall.

Arock. Arock is a small ranching community southwest of Jordan Valley. Local residents designated about 35 acres including the original townsite and adjacent committed areas in their RSC boundary.

Rome. Located south of Arock, Rome is a service center for surrounding ranchers, a recreation site, and a substation for the Bureau of Land Management. Local residents included about 75 acres in their RSC boundary.

Burns Junction. Burns Junction is a service center for travelers and surrounding ranchers. Located about 50 miles southwest of Jordan Valley and about 60 miles north of McDermitt, the community designated about 5 acres within its RSC boundary.

McDermitt. Located in the extreme southern end of the county, McDermitt straddles the Oregon-Nevada border. To meet Nevada's planning requirements, the community developed its own comprehensive plan for both Oregon and Nevada sides. The Oregon side of McDermitt is sometimes called Quinn.

ADMINISTRATIVE PROCEDURES

Pre-acknowledgment Amendment Procedure

During the period after the comprehensive plan has been adopted, but before it is acknowledged by the LCDC, an amendment to the text of this plan or to the plan maps shall be accomplished through the following procedure:

1. The County Court, Planning Commission, citizens advisory committees, individual property owners, or public agencies may initiate the proposed amendment.

2. The appropriate citizens advisory committees, public agencies and general public shall be encouraged to participate in the amendment process.

3. The Planning Director shall specify in writing at the request of any interested person and prior to a publication of any notice, the procedures to be followed in making decisions regarding pre-acknowledgment plan and plan map amendments. In determining the procedure, the Planning Director shall determine the stage of the review of the comprehensive plan by the Department of Land Conservation and Development, whether a notice has been given by the Department Director under OAR 660-03-015 and how the stage of review and notice affect the county's procedures. At a minimum, the procedures established by the Planning Director shall:

   A. Specify whether a combined hearing of the Planning Commission and County Court will be provided.

   B. Require a notice published in all principal newspapers of general circulation in Malheur County at least 10 days prior to the hearing, all in accordance with ORS 215.060. If the proposal is for a quasi-judicial plan map amendment, individual notices of the proposed amendment will be mailed to the owners of record of the property subject to the proposed amendment and to record owners of property within 250 feet of the ownership boundaries of the property subject to the proposed amendment. Failure of any property owner to receive the notice shall not invalidate the amendment.