ORDINANCE NO. 100

AN ORDINANCE ADOPTING THE CITY OF MITCHELL

COMPREHENSIVE PLAN

SECTION 1. AUTHORITY AND ENACTMENT

Pursuant to Oregon Revised Statutes Chapters 92, 197, 215 and 227, the Statewide Planning Goals, and in coordination with Wheeler County and other affected governmental units, the Mitchell City Council hereby adopts the City of Mitchell Comprehensive Plan including plan goals and policies as enumerated herein and the plan map included as Attachment "A".

SECTION 2. PLAN TECHNICAL REPORT

The technical report provides the background information, facts and considerations that the city's comprehensive plan goals, policies and map are based on. The technical report is adopted by resolution as part of the plan and is the supporting document subject to revision as new technical data becomes available. When new data indicates that the city's plan should be revised amendments shall be made as provided in Section 8.

SECTION 3. PLAN IMPLEMENTATION MEASURES

All plan implementation measures including but not limited to the Zoning Ordinance, Subdivision Ordinance, and Mobile Home Park Ordinance shall be consistent with and subordinate to the City Comprehensive Plan.

SECTION 4. AVAILABILITY OF PLAN

After the City Comprehensive Plan receives acknowledgement of compliance from the Oregon Land Conservation and Development Commission, the comprehensive plan, technical report and implementation measures shall be available for use and inspection at City Hall, County Court House, East Central Oregon Association of Counties office in Pendleton, and the Department of Land Conservation and Development office in Salem.

SECTION 5. PLAN GOALS AND POLICIES

The following statement of goals and policies provide a general long-range basis for decision-making relative to the future growth and development of the City. The goals are patterned after and are in direct

response to applicable Oregon Statewide Planning Goals. The policy statements set forth a guide to courses of action which are intended to carry out the goals of the plan. The policy statements present the City's position on matters pertaining to physical improvements and community development.

A. Citizen Involvement

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

It shall be City Policy:

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

2. To encourage people to attend and participate in city council meetings and hearings.

3. To establish advisory committees as necessary to study community problems and make recommendations for their solution.

B. Land Use Planning

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

It shall be City Policy:

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

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

3. To develop economic and population projections.

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

5. To determine the public facilities and services required to accommodate existing unmet public needs and expected economic and population growth.

6. To revise the comprehensive plan and urban growth boundary for the City of Mitchell as necessary based on available information, citizen input, coordination with affected governmental units, and the goals and policies adopted herein.

7. To prepare, adopt and revise as necessary zoning, subdivison and mobile home park ordinances.

8. To establish additional policies and implementation measures consistent with the Comprehensive Plan as necessary.

C. Agricultural Lands

*GOAL: To preserve and maintain agricultural lands.*

It shall be City Policy:

1. To identify agricultural lands which should be preserved and protected until needed for urban development.
2. To encourage residential, commercial, and industrial development within the urban growth boundary.
3. To discourage non-farm development outside the urban growth boundary.

D. Open Spaces, Scenic and Historic Areas, and Natural Resources

*GOAL: To conserve open space and protect natural, scenic, historic and cultural resources.*

It shall be City Policy:

1. To identify open spaces; scenic, paleontological, cultural and historic areas; and natural resources which should be preserved from urban development.
2. To preserve open space through public acquisition of suitable land and by encouraging provisions for open space in private developments.
3. To examine any publicly-owned lands including street rights-of-way for their potential open-space use before their disposition.
4. To protect paleontological, archaeological and historic sites, structures, and artifacts through zoning and subdivision regulations pending development of a natural and historic area preservation ordinance.
5. To conserve the area's natural resources.
6. To encourage multiple uses of open space land provided that the uses are compatible.
7. To designate the areas north of the Ochoco Highway, along the South Side of Bridge Creek and South of the City Reservoir as Open Space.
8. To protect fish and wildlife habitat through the preservation of raparian vegetation and use of setbacks or buffer zones along all water areas.
9. To discourage development or land uses that require drainage, channelization, filling, or removal of raparian vegetation along any water source.
10. That supplemental plantings of seed and fruit-producing, ornamental shrubs and other ground cover shall be encouraged to provide additional habitat for wildlife within new developments.

E. Air, Water and Land Resources Quality

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

It shall be City Policy:

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

2. To encourage industries to locate in Mitchell which would have no significant detrimental effect on the environmental resources of the area.

3. To monitor resident's noise complaints and develop a noise control ordinance should problems arise in the future.

F. Areas Subject to Natural Disasters and Hazards

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

It shall be City Policy:

1. To encourage development to locate outside floodplains, natural drainageways, steep slopes, and other hazardous areas.

2. To improve Bridge Creek and study other ways to reduce flood hazard within the city.

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

4. To prepare and adopt a Flood Area Management Ordinance upon completion of the final Flood Hazard Map by U. S. Department of Housing and Urban Development (HUD).

5. To cooperate and work with Wheeler County and the Soil Conservation Service to reduce hazards associated with Waterspouts.

G. Recreational Needs

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

It shall be City Policy:

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

2. To build park and outdoor recreational facilities in order to meet recreational needs of residents and visitors as the community grows.

3. To encourage development of tourist commercial uses such as shops, motels, restaurants, gas stations and similar uses.

4. To plan community recreation facilities in conjunction with existing and planned school facilities so that they complement eachother in function.

H. Economic Development

*GOAL: To diversify and improve the economy of Mitchell.*

It shall be City Policy:

1. To cooperate with individuals or agencies involved in the location and improvement of land suitable for future industrial development.

2. To minimize high noise levels, heavy traffic volumes, and other undesirable effects of heavy commercial and industrial developments.

3. To provide facilities necessary to attract and serve industry.

4. To cooperate with and encourage the use of local manpower training agencies and programs to expand job opportunities, reduce unemployment, reduce out-migration of youth, accommodate the growth of the local labor force, and maximize the utilization of local manpower as job opportunities increase.

5. To encourage commercial development along Highway 26 and Main Street.

I. Housing

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

It shall be City Policy:

1. To encourage a moderate rate of growth and a mixed population of varying age groups, incomes, and life styles.

2. To cooperate with individuals and agencies involved in the development of housing for low and moderate income persons.

3. To encourage future residential developments which provide prospective buyers with a variety of residential lot sizes, a diversity of housing types, and a range in prices.

4. To establish low density residential areas within the urban growth boundary rather than rural residential areas adjacent to, but outside the urban growth boundary.

5. To require that areas which are subdivided or partitioned for low density residential development be laid out so that such areas may be further subdivided or partitioned at a later time while still insuring that necessary public facilities can be developed. Sub areas which are equal to or greater than 12 percent slope are excepted.

6. To allow mobile homes in residential areas on individual lots as an outright use and mobile home parks as a conditional use.

7. To encourage multi-family residential development.

J. Public Facilities and Services

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

It shall be City Policy:

1. To cooperate in the development of programs for senior citizens.

2. To require underground installation of utilities in all new developments and as major improvements are made to areas with above ground utilities.

3. To cooperate with agencies involved in providing and coordinating social services and consider pooling of city resources with social agencies to provide needed services within the community.

4. To encourage the development of health services.

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

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

7. To plan public facilities, utilities and services to meet expected demand through development of a capital improvement program.

8. To provide city water service only within the urban growth boundary.

9. To discourage development of new wells within the urban growth boundary if such wells either individually or collectively will substantially reduce the City's ability to provide a dependable source of water.

10. To identify approximate locations of future streets, water tank sites, and other public facilities.

11. To require necessary onsite public facilities to be provided in new subdivisions including but not limited to water and streets.

12. To require property owners to pay their fair share of the costs of extension of public facilities which will serve their property.

K. Transportation

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

It shall be City Policy:

1. To work with Wheeler County to develop joint policies concerning county roads within the urban growth boundary.

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

3. To work with the Oregon Department of Transportation to minimize conflicts between through and local traffic on Highway 26 to reduce traffic hazards and expedite the flow of traffic.

4. To support current projects underway to assist the transportation disadvantaged and seek out additional programs which will provide affordable public transportation and delivery of emergency services to those residents not presently served.

5. To cooperate with the Oregon Department of Transportation on the development of the Trans-America Bikeway along Highway 26.

L. Energy Conservation

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

It shall be City Policy:

1. To revise the zoning ordinance to protect solar access.

2. To encourage orientation and design of new streets and buildings to allow for utilization of solar energy and provision of landscaping to reduce summer cooling needs.

3. To design the extension and upgrading of water lines and facilities to minimize energy use.

4. To protect existing trees.

5. To encourage use of solar energy.

6. To encourage building owners to insulate their buildings to conserve energy and reduce operating costs.

M. Urbanization

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

It shall be City Policy:

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

2. To encourage development to occur within a relatively compact urban area with controlled outward growth by phasing extension of public facilities.

3. To require that the urban growth boundary and comprehensive plan be jointly amended by Mitchell and Wheeler County as necessary and appropriate prior to consideration of land for annexation.

4. To consider only those areas that are within the urban growth boundary for annexation to the city.

5. To place all undeveloped land within the city limits north of Highways 26 and 207 outside the urban growth boundary.

SECTION 6. PLAN AND IMPLEMENTATION MEASURE REVIEW

The City Comprehensive Plan and implementation measures shall be reviewed at least annually to determine conformity with changes in:

Oregon Revised Statutes and administrative rules;

Oregon Case Law;

Oregon Statewide Planning Goals;

Requirements of the City;

Needs of residents and landowners; and

Concerns of the County and other affected governmental units.

If the City Comprehensive Plan, implementation measures, or both fail to conform to any of the above criteria, the non-conforming document(s) shall be amended as necessary and as soon as practicable.

SECTION 7. PLAN AMENDMENT APPLICATIONS

An amendment to the text of this ordinance or to the comprehensive plan map may be initiated by the City Council, an affected governmental unit, or by a property owner or resident of the City. All applications for plan amendments shall be made on forms available from the City accompanied by a fee in an amount established by the City Council.

SECTION 8. PLAN AMENDMENT PROCESS

Amendment of the Comprehensive Plan shall be based on the following procedure and requirements.

A. The City Council shall set a public hearing date and give notice thereof through a newspaper of general circulation and by posting notice in the City at least ten (10) days prior to the hearing and if applicable, notice shall be mailed to:

   1. Property owners within 250 feet of land subject to a proposed amendment to the plan map; and

   2. Affected governmental units which may be impacted by or who have requested opportunity to review and comment on proposed amendments.

B. Copies of proposed amendments shall be made available for review at least ten (10) days prior to the City Council hearing.

C. Within ten (10) days after the close of the hearing, the City Council shall make findings of fact and adopt, adopt with changes, or deny the proposed amendments. Adoption of plan amendments is effective upon:

1. City adoption in the case of amendment of the plan for an area within the city limits.

2. County adoption and Land Conservation and Development Commission approval in the case of amendment of plan goals or expansion of the urban growth boundary beyond the city limits.

D. Copies of plan amendments adopted by the City shall be sent to the County and the Land Conservation and Development Commission within ten (10) days after adoption.

SECTION 9. SEVERABILITY

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

The City Council declares an emergency and this ordinance will take effect upon the date of adoption.

APPROVED AND ADOPTED by the Mitchell City Council on this 20 day of June, 1980.

Roy Litchlow
Mayor

ATTEST:

George M. Schnee
City Recorder

CITY OF MITCHELL, OREGON

APPLICATION TO AMEND COMPREHENSIVE PLAN ORDINANCE

APPLICANT

Name _____

Address _____

Phone No. _____

TYPE OF APPLICANT (Check one)

Landowner (agent*) within Urban Growth Boundary _____

Resident (renter) within Urban Growth Boundary _____

Governmental Unit: City of Mitchell_____, County_____.

Special District _____, State Agency _____, Federal Agency _____

*Note: If agent, attach written authorization to represent landowner.

TYPE OF AMENDMENT

___ Text: Goal _____, Policy _____, Other _____; Section(s) _____

Applicant shall prepare and attach a copy of proposed text amendment to this application.

___ Map: Present Land Use Classification is _____

Proposed Land Use Classification is _____

Inside city limits (yes or no) _____

Outside city limits but within
Urban Growth Boundary (yes or no) _____

Amendment to Urban Growth Boundary (yes or no) _____

Applicant shall prepare and attach the following to this application:

(1) 8 1/2" x 11" location map of area subject to proposed map amendment drawn to scale,

(2) Either assessor's map or other parcel map drawn to scale showing proposed map amendment, and

(3) A list of names and addresses of property owners** whose property is subject to the proposed map amendment or within 250 feet of the exterior boundary thereof.

**Note: This information available from county assessor's office.

JUSTIFICATION FOR AMENDMENT

Applicant shall prepare and attach a presentation of facts and reasons which establish need, appropriateness and purpose of the proposed amendment.

FEE

Refer to fee schedule adopted by City Council. $_____.

I, _____, Circle one: Landowner, agent, resident, representative of government unit) swear that the details and information contained in the above application and attachments thereto are true and correct to the best of my knowledge.

_____ _____
Signature of Applicant Date

I, _____, City Recorder of Mitchell, Oregon, attest that the foregoing application and attachments thereto were received by me on the _____ day of _____, 19 _____, from _____ accompanied by a fee of $ _____.

_____
City Recorder

SCHEDULE AND CHECKLIST

APPLICATION TO AMEND CITY OF MITCHELL COMPREHENSIVE PLAN ORDINANCE

Date

1. Application submitted by applicant _____

2. City Council hearing date set _____

3. Public notice of City Council hearing

   a) Mailed to property owners _____

   b) Mailed to affected governmental units _____

   c) Published in local newspaper _____

4. City Council hearing held _____

5. City Council decision (within ten days of hearing) _____

6. Applicant notified of decision _____

If plan map amendment for an area within the city limits, then

7. Effective date, if amendment adopted by City Council _____

8. Amendment sent to County and LCDC for their records _____

If plan map amendment for an area within the Urban Growth Boundary but outside city limits, then,

7. Application and hearing record referred to County for action if amendment adopted by City Council _____

8. Effective date, if amendment co-adopted by County _____

9. Amendment sent to LCDC for their records, if co-adopted by County _____

If Urban Growth Boundary or plan goal amendment, then

7. Application and hearing record referred to County for action if amendment adopted by City Council _____

8. Application and hearing record(s) referred to LCDC for review if amendment co-adopted by County _____

9. Effective date, if amendment approved by LCDC _____

CITY RECORDS

APPLICATION TO AMEND CITY OF MITCHELL COMPREHENSIVE PLAN ORDINANCE

1. Application and attachments thereto
2. Schedule and checklist
3. Copies of public notices
4. Analysis of applicable plan goals and policies
5. City Council hearing record, findings of fact, conclusions, decision
6. Copy of notice to applicant of decision
7. If amendment approved, copies of notices to County and LCDC ..... as appropriate.

#105

# RESOLUTION

Adopting the Comprehensive Plan Technical Report as part of the Mitchell Comprehensive Plan.

WHEREAS, the Comprehensive Plan Technical Report provides the background information, facts, and considerations that the City comprehensive goals, policies, implementation ordinances, and maps are based on; and

WHEREAS, the Comprehensive Plan Technical Report will be subject to review and revision at regular intervals to include new technical data as it becomes available; and

WHEREAS, the inclusion of new data in the Comprehensive Plan Technical Report could necessitate amendments to the City Comprehensive Plan and Implementation Ordinances.

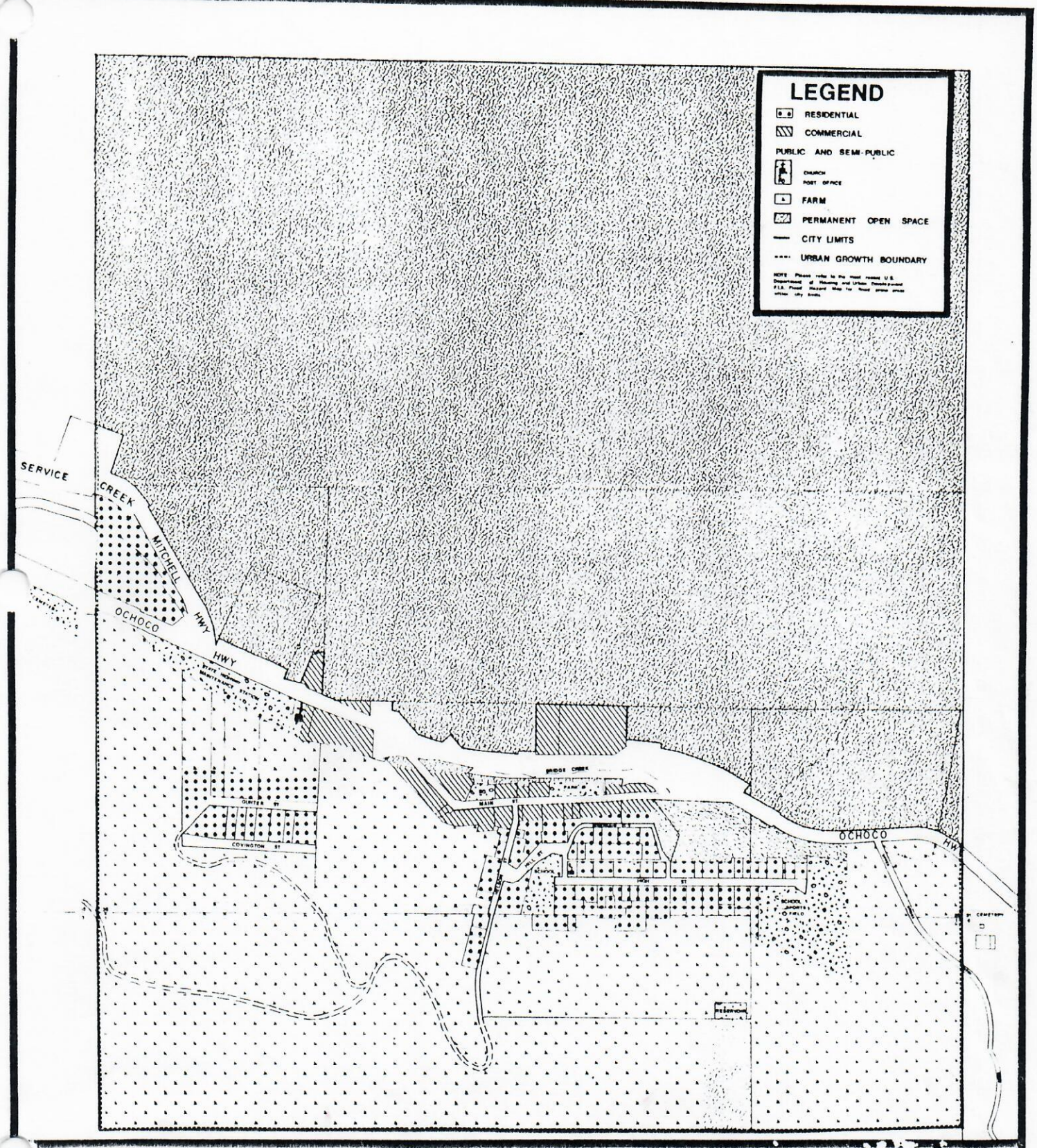
NOW, THEREFORE, BE IT RESOLVED that the Mitchell City Council adopts the Comprehensive Plan Technical Report by resolution as a part of the Mitchell Comprehensive Plan.

APPROVED and adopted this 20 day of June, 1980.

Roy Litchlow
Mayor

ATTEST:

George M. Sabrace
City Recorder




# COMPREHENSIVE PLAN
## CITY OF MITCHELL, OREGON